

T E N N E S S E E   V A L L E Y   A U T H O R I T Y



**Tellico Reservoir Land Management Plan Revision  
Environmental Assessment**

# Scoping Report

**June 2021**



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## **Introduction**

The Tennessee Valley Authority (TVA) proposes to revise the Tellico Reservoir Land Management Plan (RLMP) by reviewing all existing TVA land allocations on Tellico Reservoir in order to respond to new issues and changes in conditions and circumstances. Tellico Reservoir is located in Blount, Loudon, and Monroe counties in east Tennessee, and there are currently 12,787 acres of land in TVA stewardship around the reservoir.

The RLMP would guide land use approvals, private water use facility permitting, and resource management decisions on TVA-managed public land around the reservoir. The plan is needed to ensure that land planning on the reservoir is consistent with TVA's Land Policy (2006) and TVA's goals for managing natural resources on public lands.

On January 28, 2021, TVA published public notices (Notice) in local papers and sent out direct emails and mailings to notify the public of the beginning of a public scoping comment period in accordance with the National Environmental Policy Act (NEPA). TVA also published information about the review and planning effort on the TVA webpage (see Appendix A for the Notice). With the Notice, TVA published a list of proposed changes to parcel allocations that it has initially identified for the public to review. TVA also notified numerous individual, organizational, and government stakeholders of the review. The Notice initiated a 60-day public scoping period, which concluded on March 28, 2021. As stated in the Notice, TVA determined that an Environmental Assessment (EA) would be completed.

This Scoping Report describes the internal and public scoping for relevant issues relating to this land use planning effort and the outreach conducted by TVA to notify the public. The Scoping Report also documents the input submitted to TVA by the stakeholders during the public scoping period.

## **TVA's Objectives**

In November 2006, the TVA Board of Directors (Board) approved the TVA Land Policy to govern the retention, disposal, and planning of interests in real property. This policy provides for the continued development of RLMPs for reservoir properties with substantial public input and with approval of the Board. TVA's RLMP planning process applies a systematic method of evaluating and identifying the most suitable uses of TVA public lands in furtherance of TVA's responsibilities under the TVA Act. The planning process uses resource data, staff expertise, stakeholder input, and suitability and capability analyses. The RLMP planning process also supports compliance with applicable state and federal regulations and executive orders, and helps ensure the protection of significant resources, including threatened and endangered species, cultural resources, wetlands, unique habitats, natural areas, water quality, and the visual character of the reservoirs.

TVA's natural resources management strategy promotes the implementation of sustainable, cost-effective practices to balance protection and enhancement of ecological and cultural resources with providing multiple uses of the public lands. Resource management is based on cooperation, communication, coordination, and consideration of stakeholders potentially affected by resource management. TVA recognizes that the management or use of one resource affects the management or use of others; therefore, an integrated approach through the planning process is more effective than considering resources individually. Through this

approach, TVA ensures that resource stewardship issues and stakeholder interests are considered and conflicts are minimized.

## Background

Shortly after its creation in 1933, TVA began a dam and reservoir construction program that required the purchase of approximately 1.3 million acres of land for the creation of 46 reservoirs within the Tennessee Valley region. Most of these lands are located underneath the water of the reservoir system or have since been sold by TVA or transferred to other state or federal agencies. Today, approximately 293,000 acres of land along TVA reservoirs are managed by TVA for the benefit of the public. TVA manages these public lands to protect the integrated operation of the TVA reservoir and power systems, to provide for appropriate public use and enjoyment of the reservoir system, and to provide for continuing economic growth in the Tennessee Valley.

In managing public lands and resources under its authority, TVA seeks to provide effective and efficient management of natural, cultural, visual and recreation resources to meet all regulatory requirements and applicable guidelines. TVA develops RLMPs to integrate program goals, balance competing and sometimes conflicting resource uses, and to provide for optimum public benefit. TVA's RLMPs apply a Single Use Parcel Allocation methodology, which defines separate parcels of reservoir land and allocates those parcels and affiliated land rights to one of seven land use zones:

- Zone 1 - Non-TVA Shoreland
- Zone 2 - Project Operations
- Zone 3 - Sensitive Resource Management
- Zone 4 - Natural Resource Conservation
- Zone 5 - Industrial
- Zone 6 - Developed Recreation
- Zone 7 - Shoreline Access<sup>1</sup>

During the planning process, TVA completes an environmental review, consistent with NEPA, to consider potential environmental impacts associated with the land use allocations. This process includes opportunities for public involvement in the decision-making process.

TVA issued its first land plan for Tellico in June 2000, with the completion of the Tellico RLMP (2000 RLMP) and Environmental Impact Statement (EIS), which addressed management of the 12,643 acres of TVA public lands on the reservoir. Prior to 2000, TVA managed many of the Tellico Reservoir lands in accordance with Contract TV-60000A, in partnership with the Tellico River Development Agency (TRDA). TVA and TRDA continue to work cooperatively to carry out the terms of the Contract.

In August 2011, the Board approved TVA's Natural Resource Plan (NRP) and authorized the Chief Executive Officer (CEO) to implement it. The NRP was updated by TVA in May 2020. The NRP guides TVA's natural resource management in the areas of (1) Reservoir Lands Planning, (2) Section 26a Permitting and Land Use Agreements, (3) Public Land Protection, (4) Land and Habitat Stewardship, (5) Nuisance and Invasive Species Management, (6) Cultural

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<sup>1</sup> In the 2000 Tellico RLMP, Zone 7 parcels were zoned for "Residential Development." Under the revised plan, Zone 7 parcels will be identified for "Shoreline Access."

Resource Management, (7) Water Resources Stewardship, (8) Recreation, (9) Ecotourism, and (10) Public Outreach and Information.

As part of the NRP, TVA adopted a Comprehensive Valley-wide Land Plan (CVLP) to guide use of approximately 293,000 acres of TVA-managed property on 46 reservoirs. The CVLP is composed of land use allocation ranges across all TVA-managed reservoir lands. These ranges are targets within which TVA intends to maintain a balance of shoreline development, recreational use, sensitive and natural resource management, and other uses. The CVLP and its target ranges enable TVA and the public to consider land use allocations across the entire reservoir system and determine whether too much or too little attention is being given to particular land uses on a system-wide basis. In August 2017, the Board approved updates to the CVLP target ranges to reflect new RLMPs for eight TVA reservoirs.

## **Environmental Review Process**

NEPA requires Federal agencies to consider and study the potential environmental consequences of major actions. The NEPA review process is intended to help Federal agencies make decisions that are based on an understanding of the action's impacts and, if necessary, to take actions that protect, restore, and enhance the environment. NEPA also requires that Federal agencies provide opportunities for public involvement in the decision-making process (for more information, visit [www.NEPA.gov](http://www.NEPA.gov)).

As noted, TVA intends to prepare an EA to consider the revision of the Tellico RLMP. During the completion of the EA, stakeholders and other agencies will have opportunities to provide input on the proposed allocation changes in the RLMP and the development of the environmental review. After considering input from the scoping period, TVA will develop and publish a draft EA that will be provided to stakeholders for additional review and comment. During the public comment period on the draft EA, TVA plans to conduct at least one public meeting in the local project vicinity, if feasible. If public health conditions warrant it at the time, a virtual public meeting may be considered instead of an in-person public meeting. After the public review period, TVA will consider the public's input and make revisions to the RLMP and/or EA, if necessary, and publish a final EA. Comments on the draft EA will be addressed by TVA in the final EA. TVA will make final land use decisions after the final EA is published.

TVA currently plans to publish the draft EA in October 2021 and the final EA in January 2022. The final RLMP decision would be subject to the Chief Executive Officer's approval after a review period by the TVA Board.

## **TVA's Proposed Revision to Tellico's RLMP Webpage**

TVA is utilizing its existing corporate website as the primary platform for public outreach. The project website – [www.tva.gov/landplanreview](http://www.tva.gov/landplanreview) - is intended to serve as the primary hub for distributing information to the public. Visitors can navigate from the project website to the website housing information about the 2000 Tellico RLMP as well as general reservoir land management and CVLP information. Information available on these websites includes:

- Interactive and printable maps identifying each TVA parcel on Tellico Reservoir with the parcel's current and proposed land use allocations

- Detailed tables for proposed major and minor changes as well as zone by zone summaries of proposed changes
- Previous environmental review, maps, and RLMP
- Information about TVA's Comprehensive Valley-wide Land Plan
- An overview of TVA's reservoir land management planning process
- An overview of the NEPA environmental review process
- Contact information for the TVA project leads
- Access to a Virtual Public Meeting platform
- Access to a recording of a live webinar from February 25, 2021
- Frequently asked questions for the project
- Frequently asked questions about Tellico private recreation easements

During the scoping period, the webpage directed the public to submit scoping comments in multiple ways. The public could submit comments via a web-based comment submittal form on the project website, via email to [landplans@tva.gov](mailto:landplans@tva.gov), via the Virtual Public Meeting platform, or via direct email to the TVA project leads. Public comments are included in Appendix B.

## **Public Outreach During Scoping Period**

As noted, TVA's public scoping period was initiated in late January 2021 with the publication of the dedicated TVA website for the project. At the time, TVA also placed newspaper advertisements in papers around the region to provide notice of the planning effort and invite public comments (see Appendix A for copy of the advertisements). Advertisements were placed in the following local newspapers: The News-Herald (Lenoir City), The Daily Times (Maryville), The Advocate & Democrat (Sweetwater), and the News Sentinel (Knoxville).

TVA also developed an initial project email and mailing list to notify those on the list of the project. The mailing list was primarily derived from prior stewardship and natural resource planning efforts and included local TVA partners and others that have expressed an interest in TVA natural resources and public lands management. Approximately 35 postcards or emails were sent. Midway through the comment period, TVA added a Facebook event to try to raise awareness of the availability of the Virtual Public Meeting Platform. Approximately 100 people were reached through this media outreach format.

## **Issues Addressed During Scoping Period**

In its Notice and on the website, TVA stated that it had identified a number of environmental and socioeconomic issues that may be affected by changes to land use allocations in its land use plans. TVA solicited feedback from the public during the scoping period on these issues and asked that new issues or information about other concerns also be brought to TVA's attention. Based on initial internal scope of potentially relevant and significant issues, TVA anticipates that the major issues to be addressed in the EA include:

- |   |                                   |
|---|-----------------------------------|
| • Land Use                                  | • Threatened & Endangered Species |
| • Prime Farmland                            | • Water Quality                   |
| • Recreation                                | • Wetlands                        |
| • Terrestrial Ecology (Plants and Wildlife) | • Floodplains                     |
| • Aquatic ecology                           |                                   |

- Cultural and Historic Resources (Archaeological and Historic Structures)
- Natural Areas & Ecologically Significant Sites
- Aesthetics and Visual Resources
- Noise
- Socioeconomic

TVA's allocation of parcels to particular land use zones during the planning process is an administrative process that does not result in direct environmental impacts. However, the types of actions that TVA would allow to occur in each land use zone could eventually have varying environmental impacts to resources when activities are permitted in the future based on the land use plans. The scope of the environmental analysis, then, will be programmatic in nature and will address the general types of environmental impacts from the types of foreseeable activities that would be permissible within the six TVA land use zones identified above. Generally, impact analysis will focus on the affected resources on tracts for which TVA proposes allocations to change from a less developed use (Zones 3 and 4) to a more developed use (Zones 2, 5, 6, 7). The scope of the EA does not address potential projects or specific ground disturbing activities within particular zones.

## **Summary of Public Scoping Feedback**

During the public scoping period, TVA received a variety of comments and opinions regarding future management of TVA public lands on Tellico Reservoir that are currently under review and consideration by TVA in developing the proposed RLMP and associated draft EA.

TVA received a total of 46 submissions from stakeholders (2 duplicate comments submitted were not counted in this total). Of the 46 comments, 44 were received electronically via email or online comment form submittals and 2 were received via mail. Of the 46 submissions, 38 were from individual members of the public, 2 were from state or local government agencies, and 6 were from local community or business groups. Comment submissions are included in Appendix B.

Of the 46 submissions, 18 individuals or groups expressed support for reallocating a portion of current parcel 3 near the Tellico Dam Reservation in Loudon County from Zone 4 (Natural Resource Conservation) to Zone 6 (Developed Recreation). Similarly, 13 individuals or groups submitted comments supporting additional recreational opportunities in the Lenoir City and/or Loudon County area. Comments submitted by nine individuals or groups expressed general support for the direction of TVA's plan and supported TVA's effort to revise the plan.

Two pairs of individuals submitted detailed comment packages requesting that TVA consider the reallocation of current Parcel 99 from Zone 3 (Sensitive Resource Management) to Zone 7 (Shoreline Access) because of the historical use of the tract. The TRDA currently owns the land adjacent to Parcel 99, but the surrounding land has been developed as part of Kahite subdivision. TVA sold the land adjacent to Parcel 99 to TRDA with restrictions on its use in order to preserve a visual buffer for the Fort Loudoun State Historical Area and the Sequoyah Museum. The comments question the validity of the visual buffer.

One commenter expressed concerns about the safety of using the public facilities around the reservoir with lack of security resulting in vehicle break-ins. The commenter also requested that TVA include an erosion plan for all land use zones in the plan and consider how increased

traffic impacts the provision of medical services for residents and visitors due to limited highway access.

Commenters also expressed differing views on whether additional residential development should be considered. One commenter suggested additional residential development should be encouraged in order to improve economic development for the three affected counties. However, two commenters suggested that less residential development and more lands for conservation should be the path forward. Additionally, one commenter pointed out the benefit in using public lands for trails and supported the continuation of these lands being allocated for this use in the future.

## Appendix A: Public Notice

### Request for Public Comment



#### **TVA Seeks Input on Revision of Tellico Reservoir Land Management Plan**

TVA has initiated an environmental review to consider a revision to the 2000 Tellico Reservoir Land Management Plan in Blount, Loudon, and Monroe counties in East Tennessee. TVA is currently reviewing all existing allocations of TVA land in this plan to determine if current allocations are appropriate or if changes are needed.

TVA is interested in receiving comments on initial land use allocation changes to parcels on Tellico Reservoir and the proposal's potential to affect the environment or historic properties. Any comments received, including names and addresses, will become part of the administrative record and will be available for public inspection. Additional plan alternatives may be developed based on the public's input.

Please submit your comments by March 28, 2021. Written comments should be sent to [landplans@tva.gov](mailto:landplans@tva.gov) or at the mailing address provided below. Comments may also be submitted online or submitted through a virtual public meeting link available at [www.tva.gov/landplanreview](http://www.tva.gov/landplanreview), beginning February 11, 2021. A live webinar will occur on February 25, 2021, at 5 PM EST. Registration is required. Please visit the website for more information. The webinar will be recorded and posted on the website shortly thereafter.

**Lesley Webb**  
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2835-A East Wood Street  
Paris, Tennessee 38242

## Appendix B: Comments Received

(January 28, 2021 through March 28, 2021)

The unedited comments below were submitted to TVA through TVA's web-based Comment System Form, via Virtual Public Meeting form, via email, or by letter.

James and Carey Ann Chambers  
Knoxville, TN  
February 8, 2021

RE: Tellico Reservoir Land Management Plan

Our thoughts concerning the upcoming revision of the Tellico Land Management Plan are given below for your consideration.

For the last twenty years we have hiked the East Shore and Hall Bend trails that run along the shores of Tellico Lake three or four times almost every week of the year. These trails, which are well maintained by the volunteers of WATeR.org, have become very popular in the last five years or so. On good days the parking lot at the Hall Bend trail head by the Little T dam will be full and overflowing, and sometimes the same is the case at the Glendale trail head on the other side of the lake.

It is our belief that these trails represent a great asset for the East Tennessee area around Loudon County. As long-time retirees, our quality of life has definitely benefitted by our weekly hikes on these beautiful trails.

We strongly believe that the trails are a wise land-use allocation of the TVA land around the Tellico Reservoir.

Greg A Mcculloch Sr.  
Maryville, TN  
February 25, 2021

I would like to see more land put aside for wildlife conservation I believe Tellico has too much development already

Karen Thompson  
Lenoir City, TN  
February 25, 2021

Does the change to Zone 7 this mean that you plan to sell 98 acres of public lands to private buyers? If so who, where, and why?

Michael Kirkland  
March 1, 2021



Stop selling off lands to residential developers. You are creating the loss of the beauty of the area. Keep what is set aside for conservation alone.

Richard D. Henry and Jane A. Sutter  
Vonore, TN  
March 15, 2021

Re: TVA Request for Comments Seeking Input on Revision of Tellico Reservoir Land Management Plan

Dear [TVA Staff]:

Thank you for the opportunity to provide our comments on the proposed update of the TVA Land Management Plan. Since the previous plan was written twenty-one years ago, it is long overdue for a change to a land allocation not mentioned in your proposed review but one which has adversely affected us as property owners and stakeholders. We are very hopeful that your team will address and correct this issue as a part of the Land Management Plan Update.

We are submitting these comments because the purpose of this 2021 update by the TVA as stated in the TVA Request for Comments is to address “all existing allocations of TVA land in order to respond to new issues and changes in conditions and circumstances.” The TVA request for input further states the reason for this review is to “determine if current allocations are appropriate or if changes are needed.”

We believe that a change of zoning is required as described herein. As part of your effort, we are requesting that consideration be given to a long-standing issue that has affected fifteen property owners along the Little Tennessee River shoreline whose property abuts TRDA land classified as Parcel 99, Zone 3, Sensitive Resource Management. The affected properties are part of the Kahite community, a Tellico Village subdivision, located in Vonore, TN. We are the owners of Block 4, Lot 35, one of the 15 properties.

There is an extensive background to this issue dating back to 2014, which is addressed in our attached comments. The issue is overly complex, hence the lengthy comments. To be clear in our request, we have attached a comprehensive document as *Attachment A* that provides our comments as related to the update and will answer any questions that you may have. Also included as *Attachment H* is a background and historical timeline that shows what has taken place with a TVA proposed License Agreement with the Kahite fifteen property owners to our request for rezoning is a much more effective and less costly solution to address the concerns of the Kahite 15 property owners. The need to address this important issue for the TVA, TRDA and the Kahite property owners cannot be overstated.

Specifically, we are requesting the rezoning of an exceedingly small, fragmented, section of TRDA/TVA land on the Kahite shoreline, currently designated as “Parcel 99, Zone 3, Sensitive Resource Management.” We are requesting this land be changed to “Zone 7, Residential.” The tiny, fragmented areas affected by this request can be seen clearly on *Attachment A1*. As shown, the 15 Kahite homeowner properties are currently designated Parcel 98, Zone 7, Residential. However, the TRDA land that abuts the 15 properties and the TVA land adjoining the TRDA land is designated as Parcel 99, Zone 3, Sensitive Resource Management. Additionally, we are requesting that the new Zone 7, Residential, be accorded the same status as all other Kahite lakefront properties.

We are also requesting that a change be made to the 60,000A contract between TVA and TRDA to allow the sale of the fragmented land to any of the 15 Kahite property owners who may wish to purchase the TRDA land that abuts their residential property.

The current designation of Zone 3, "Sensitive Resource Management," for this small, fragmented land designated as Parcel 99 appears to have been a serious error in the Land Management Plan dated 2000, and it should be corrected as soon as possible. The update of the 2000 Land Management Plan now underway provides a long-awaited opportunity to correct this long-standing error in land designation which has adversely impacted the 15 owners of the properties affected by the currently designated "Parcel 99, Zone 3, Sensitive Resource Management."

The many adverse issues this designation has caused are clearly spelled out in *Attachment A*. As our comments unmistakably show, none of the TVA criteria for classifying land as Zone 3 applies to any of the TRDA or TVA land in the Zone 3 area. There simply is no resource supported by the sites as required in the stated TVA criteria. A copy of Zone 3 Definitions is provided for reference as *Attachment B*.

Additionally, the Parcel 99 Classification, as described by the TVA, allows for the "use of rip rap or bioengineering techniques." However, residents of the 15 lots have been told they cannot have rip rap unless a separate License Agreement with the TVA is executed with the Kahite 15 property owners, who will still be required to apply for approval.

It must be noted here that negotiations have been underway since August 2015 for a License Agreement to allow specific land activities by the Kahite 15 property owners. Although an agreement has been proposed by the TVA, its development is now going on 7 years with no end in sight. We believe the rezoning approach is a much more effective and less burdensome means for all parties to address the numerous issues raised by the residents of the property abutting the TRDA Zone 3 land.

The proposed License Agreement is discussed further in our attached comments. A copy of the Parcel 98 and 99 descriptions is included as Attachment C for reference. There is no consistency in the application of the rules, or the designation of the properties included in Parcel 99, Zone 3, when compared to all other properties in Kahite designated as Parcel 98, Residential.

In summary, the purpose of filing our comments regarding the TVA Land Management Plan Update is to:

- Request a solution to a long-standing zoning problem for the owners of 15 lots in Kahite: Lots; 29, 30, 31, 33, 34, 35, 36, and 37 on Golanvyi Trail, and Lots; 24, 25, 26, 27, 28, 29 and 30 on Hiwonihi Trail, by changing the zoning of the TRDA land which abuts their properties, from Zone 3, Sensitive Resource Management, to Zone 7, Residential.
- Address the unfair and dismissive treatment of property owners by TVA which has gone on for many years
- Correct long-standing discrimination by TVA against property owners whose land abuts TRDA land and TVA waterfront, and is classified as Zone 3, Sensitive Resource Management which has zoning regulations that make no sense
- Treat all TVA stakeholders with care, consistency, and uniformity

It would be most helpful if you could let us know as soon as possible whether you plan to consider our request as part of your revision plan. We do not want to have to wait until your estimated completion date of 2022 only to find your team elected not to address it.

We are extremely hopeful this request will be fulfilled by the Land Management Plan revision team. We are prepared to take our concerns to whomever is necessary to obtain a resolution whether it be the: TVA Ombudsman, Peter Tyndall or whomever the current Ombudsman is at the time of writing; the TVA President and CEO, Jeffrey Lyash; TVA Board Members, or if necessary, our Tennessee Congressmen, including US Senator, Marsha Blackburn, US Senator Bill Hagerty, US Representative Tim Burchett, and US Representative, Chuck Fleischmann, or to all the above.

Thank you for your consideration. Please call or write with any questions you may have.

The following attachments are referred to in our comments and have been attached as shown as a backup to our request:

<u>Attachment</u>	<u>Title</u>
A1	Map showing Kahite Parcel 99, Zone 3, area
A2	Map showing location of Kahite 15 lots in Parcel 99, Zone 3, and their distance from the Sequoyah Birthplace Museum
A3	View of Kahite from the Sequoyah Birthplace Museum
A4	View of shorelines in Zone 7 next door properties
B	TVA Zone 3, Sensitive Resource Management definition
C	TVA Parcel 98 and 99 Definitions
D	TVA Parcel 93, Zone 6, Recreation, Sequoyah Birthplace
E	Watershed Association request of homeowners
F	Land Management Page from Cultural Management Resource Plan
G	Timeline of Events and Actions taken by the TVA and the K15 Property Owners to Resolve Zoning Issues

Attachment A

Comments for Consideration on TVA Land Management Plan Update

Our comments have been presented and organized as follows:

1. Request for Consideration in Updated Land Management Plan
2. Background of Issues Created by Land Classified as Parcel 99, Zone 3
3. Attempts to Resolve Conflicts between TVA and Kahite Property Owners
4. TVA Proposed License Agreement
5. Advantages to the 15 Kahite Property Owners by Changing Zone 3 to Zone 7
6. Advantages to the TRDA and the TVA if Zoning was Changed as Requested.
7. Disadvantages of the Proposed Zone Changes to the TRDA and TVA
8. Disadvantages to the 15 property Owners if the TVA Agrees to the Changes Proposed by the 15 Property Owners
9. Advantages or Disadvantages to the Eastern Band of Cherokee Indians
10. Bottom Line

1. Request for Consideration in the Updated Land Management Plan

TVA Parcel 99, Zone 3, consists of two exceedingly small, fragmented parcels of land abutting 15 residential properties, and certain common land leased by Tellico Village POA in the Kahite Subdivision of Tellico Village, located in Vonore, TN.

- A. We, the owners of Lot 35, are requesting that the Land Management Plan be changed to rezone the TRDA/TVA land in Parcel 99 from Zone 3, Sensitive Resource Management, to Zone 7, Residential. This will change the zoning of the TRDA land which abuts 15 Kahite Lots; 29, 30, 31, 33,34, 35, 36, and 37 on Golanvyi Trail, and Lots; 24, 25, 26, 27, 28, 29 and 30 on Hiwonihi Trail, and certain common land leased by Tellico Village POA.
- B. This will eliminate the many problems created by the imposition of rules directed by the TVA in trying to maintain the restrictions associated with and required by having this fragmented TRDA land designated Zone 3, Sensitive Resource Management, abutting 15 properties that are Parcel 98, Zone 7 Residential.
- C. The above changes would permit the homeowners of the 15 lots to enjoy the same privileges to mow grass and plant or remove shrubs and flowers on land currently owned by TRDA and seek approval to install rip rap on the shoreline in the same manner as the other hundreds of homeowners in Kahite and the other subdivisions of Tellico Village. Today, because of the Zone 3 classification, we are not permitted to even apply for these land improvements.
- D. Another solution to the problem would be to modify the TVA - 60000A Contract to allow the Kahite property owners an opportunity to purchase the fragmented TRDA land abutting their 15 properties if they so desired. The 15 homeowner-owned properties are currently Zoned 7, Residential, and those properties abut the TRDA Zone 3, Sensitive Resource Management land. The TRDA land also abuts the Zone 3, Sensitive Resource Management TVA land which abuts the water. Each homeowner could be given the opportunity to own the TRDA land abutting their lot and be accorded the same status as all waterfront properties in the Kahite subdivision of Tellico Village. The TVA portion of the shoreline could remain under the same restrictions as that of all other Kahite shorelines which are part of the Zone 7, Residential classification.
- E. If the herein proposed rezoning is executed, there would be no reason for the TRDA to own the parcels of land between the property owners and the TVA. It is not clear why the TRDA owns any of these lots now since there is no sensitive resource to protect or enhance.

## 2. Background of Issues created by land being classified as Parcel 99, Zone 3

The primary causes of the issues affecting property owners whose Zone 7 properties abut Zone 3 land are the restrictions imposed by the interpretation of Zone 3 requirements by TVA Staff. These issues can easily be seen by reading the TVA description of "Zone 3, Sensitive Resource Management," Tellico Reservoir Land Management Plan, Table A-1.1 Planned Use Zone Definitions, Parcel Allocation, Pages 18 and 19, as shown in *Attachment B and repeated here:*

"Land managed for protection and enhancement of sensitive resources. Sensitive resources, as defined by TVA, include resources protected by state or federal law or executive order and other land features/natural resources TVA considers important to the area viewscape or natural environment. Natural resource activities such as hunting, wildlife observation, and camping on undeveloped sites may occur in this zone; but the overriding focus is protecting and enhancing the sensitive resource the site supports. (Underline added for emphasis) Areas included are:"

- “TVA designated sites with potentially significant archeological resources.” *The TRDA land abutting the Kahite 15 properties (herein identified as K15), does not have known archeological resources protected by state or federal law or executive order.*
- “TVA public land with sites/structures listed on or eligible for listing on the National Register of Historic Places.” *The TRDA land abutting the K15 properties has no known sites/structures or potentially significant archeological resources.*
- “Wetlands: Aquatic bed, emergent, forested, and scrub-shrub wetlands as defined by TVA.” *The TRDA land abutting the K15 properties has none of these.*
- “TVA public land under easement, lease, or license to other agencies/individuals for resource protection purposes.” *The TRDA land abutting the K15 properties has no visible TVA public land under easement, lease, or license to other agencies/individuals for resource protection purposes.*
- “TVA public land fronting land owned by other agencies/individuals for resource protection purposes.” *The TRDA land abutting the K15 properties has no obvious TVA land fronting land owned by other agencies/individuals for resource protection purposes.*
- “Habitat Protection Areas: these natural areas are managed to protect populations of species identified as threatened or endangered by the USFWS, state-listed species, and any unusual or exemplary biological communities/geological features.” *The TRDA land abutting the K15 properties has no identified habitat protection areas.*
- “Ecological Study Areas: these TVA Natural Areas are designated as suitable for ecological research and environmental education by a recognized authority or agency. They typically contain plant or animal populations of scientific interest or are of interest to an education institution that would utilize the area.” *The TRDA land abutting the K15 properties is not designated as ecological study areas.*
- “Small Wild Areas: these TVA Natural Areas are managed by TVA alone or in cooperation with other public agencies or private conservation organizations to protect exceptional natural, scenic, or aesthetic qualities that can also support dispersed, low-impact types of outdoor recreation.” *The TRDA land abutting the K15 properties is not considered small wild areas as defined by the TVA.*
- “Significant scenic areas: these are areas designated for visual protection because of their unique vistas or particularly scenic qualities.” *The TRDA land abutting the K15 properties is not in a designated scenic area.*
- “Champion tree site: areas designated by TVA as sites that contain the largest known individual tree of its species in that state; the state forestry agency “Champion Tree Program” designates the tree while TVA designates the area of the sites for those located on TVA public land.” *The TRDA land abutting the K15 properties does not contain champion trees.*
- “Other sensitive ecological areas: examples include heron rookeries, uncommon plant and animal communities and unique cave or karst formations.” *There are no other sensitive ecological areas affected by any of the TRDA land abutting the K15 properties. There are herons in the area, but they do not appear to be interested in whether we have riprap or cut grass down to the water’s edge.*

As shown above, there is no reason under the TVA’s definitions of “Sensitive Resource Management” that the TRDA land abutting the Kahite 15 lots should be classified as “Zone 3, Sensitive Resource Management.”

Additionally, the TVA definition of Parcel 99 described on Page 58 of the Tellico Reservoir Management Plan states the following, as shown in *Attachment C2 and repeated here*:

- “This split parcel meanders the 820-foot contour and serves as a visual buffer between Tellico Village’s Kahite Subdivision and Fort Loudon State Historical Area and the Sequoyah Museum. The parcel fronts land (XTELR-21 and -22) that was conveyed to TRDA for this same purpose and is now part of Kahite Subdivision. Parcel 99 has a variety of tree cover and will be maintained in its natural state. Private water use facilities cannot be considered for approval on this parcel. However, bank stabilization through the use of rip rap or bioengineering techniques may be considered.” (Underline added for emphasis)

Even though the definition of Parcel 99 states that rip rap is permitted, TVA Staff have enforced a no rip rap rule on the Kahite 15 property owners, allowing severe erosion to take place along the shoreline. We understand permission may be granted, once a License Agreement, the development of which began in 2015, is completed, but the TVA and the Kahite 15 have yet to finalize it.

Hence, we have a situation where there is rip rap installed on many of the neighboring Kahite properties Zone 7. There have been no docks installed on the K15 TVA land due to the Zone 3 requirement that, “Private water use facilities cannot be considered for approval on this parcel.” However, as in the case of rip rap, there are many Zone 7 lots adjacent to, and near the Kahite 15 lots, which are permitted to have docks. Please see *Attachment A4* for a view of the current shoreline. This zoning makes no sense whether a property owner prefers to have a dock or not.

We have been led to understand that the Parcel 99 designation was created to establish the existence of dock and rip rap restrictions under the assumption that the TRDA land abutting the Kahite 15 properties provide a natural buffer between those properties and the Fort Loudon State Historical Area and the Sequoyah Museum. We believe these restrictions may have been created prior to the Ft. Loudon Historical Area being classified as “Parcel 63, Zone 6, Recreational.”

In any case, this rationale makes no sense today. There is no way anyone at the Ft. Loudon State Historical Area can clearly see the 15 TRDA properties in Kahite to which the Parcel 99 designation applies. Additionally, the view of and from the Sequoyah Museum is blocked by hundreds of trees, both along the museum shoreline, on the large island that is located between the museum and Kahite, and on the shoreline of the affected lands. Interestingly, the island between Kahite and all the Sequoyah Birthplace land is also designated Parcel 63, Zone 6, “Recreation.” “The Eastern Band of Cherokee Indians were granted a permanent easement over this parcel for public/commercial recreation use.” “Current facilities and attractions include a parking lot, courtesy pier (with dock), pavilion, amphitheater, the Sequoyah Birthplace Museum and the Cherokee Memorial.” (See *Attachment D*.)

Additionally, we have learned that the Indians currently have a bill being sponsored by U.S. Representative, Chuck Fleischmann, under review by Congress to permit them rights to build a casino enterprise on their land. This provides further support that a buffer between the Sequoyah land and the K15 properties makes no sense.

Amazingly, the Sequoyah land also has a dock for public use while Kahite property owners are restricted from having one. It is impossible to imagine why rip rap or docks half a mile

away would be a problem in a long-distance view of the river, even if they can be seen in the far distance, especially since its own docks are in plain view.

We cannot understand the rationale for supposedly preventing anyone on that land from seeing the rip rap, docks or plantings on the TRDA properties adjacent to the K15 properties if they were installed. Once again, this makes no sense.

Please see:

*Attachment A1*, which shows the exceedingly small, fragmented areas designated as Parcel 99 which abut the 15 Kahite properties and Tellico Village POA common area.

*Attachment A2*, which shows the location of the Sequoyah Birthplace and the 15 Kahite properties displaying the exceptionally long distance across the water between the areas.

*Attachment A3*, a photo taken from the Sequoyah Birthplace looking toward the Kahite Subdivision and the TRDA property which is virtually impossible to see.

*Attachment A4*, a photo of the shorelines of lots adjacent to K15 properties which are in Parcel 98, Zone 7.

Additionally, because of the land designations and the descriptions written by the original TVA team charged with preparing the 2000 Land Management Plan, various TVA Managers have strictly interpreted these sections and have consistently refused to consider the various contradictions in the plan. Apparently, until the plan is corrected and changed, they have no choice but to strictly enforce the plan as written even though it makes no sense.

In conducting due diligence when purchasing Lot 35, Golanvyi Trail, which is one of the 15 Kahite properties affected, we had a telephone conversation with [TVA Program Manager] of the TVA Staff in September 2017.

- a) She said unequivocally that we are not permitted to cut the grass on the TRDA/TVA land abutting our property. It is considered Federal Trespassing if we do so.
- b) We subsequently learned from neighbors that the Kahite 15 property owners were in discussions with the TVA to develop a License Agreement to permit them to apply for permission from the TVA to allow the cutting of grass, and to allow application for permits to install rip rap and plant or remove trees. The K15 had been granted temporary permission to continue to mow during the development of the License Agreement.
- c) We learned there is an existing TVA violation against our Lot 35 that “runs with the land.” It is Violation #260214. We were told that it is for “vegetation issues” due to the grass being cut to the water’s edge prior to our purchase of the lot. Our attempts to have the violation removed have been unsuccessful. It seems that no one has the authority or desire to remove it. This creates a stain on our property that exists only because TVA has designated the TRDA land abutting it as Zone 3. We do not know why our lot was singled out with a violation as many of the other 15 homeowners cut their grass to the water’s edge and have not been found to be in violation of TVA rules. Changing the zone of the TRDA land abutting our properties and the TVA adjacent land would eliminate this unnecessary concern on the part of the TVA and remove the violation from our property records. We have been told by K15 representatives that removal of the violation has been requested as a part of the proposed License Agreement.

- d) We cannot apply to plant shrubs or vegetation on this land, even though it would serve to beautify the land as seen from the water and provide a riparian buffer area. (Interestingly, the Watershed Association of Tellico Reservoir (WATeR) is dedicated to protecting and improving the quality of the water in the reservoir and the streams and rivers that feed into it. One of its major concerns is the greening effect of the water and it has solicited the help of “property owners around the water to plant “riparian gardens” (a garden that exists alongside a river), to reduce the flow of nitrogen, phosphorous and bug and weed chemicals into the reservoir and damaging its water quality.”) The TVA’s restrictions associated with zoning TRDA/TVA land as Zone 3 are in direct conflict with the objectives of WATeR. See Attachment E.
- e) We are not permitted to install rip rap, even though it would stop the erosion of TVA land. As stated earlier, this restriction is contradicted by the criteria for Parcel 99 classification, as well as the TVA Cultural Resource Management Plan. See *Attachment F*. (Also, consider if the TVA is concerned about artifacts on its land, why does it want the shoreline erosion to continue in these areas when it could wash away any artifacts that may exist on the banks of the river?)
- f) [TVA Program Manager] also told us that we can be found guilty of federal trespassing if we modify the TRDA/TVA land in any way and we could even go to jail! We were told we could also be fined.
- g) Even though we do not want a dock at this time, there can be no dock permits issued although properties adjacent or close by the 15 properties have docks, as do hundreds of other Kahite waterfront lots. See *Attachment A4*. We have been told we cannot apply for docks, riprap or adding vegetation of any kind. Interestingly, TVA has gone to great lengths to define permissible landscaping alternatives and riparian buffer zones in its Land Management Plan, however, we are prohibited from following any of them because of our zoning.
- h) Per [TVA Program Manager], we cannot install a walkway or path to the water on TRDA/TVA land.
- i) Additionally, we have found that the TVA “Cultural Resource Management” program drafted in 2019 stated as a major objective, “Protect and preserve significant archeological and historic resources through improved and enhanced management practices such as monitoring, shoreline stabilization, archaeological curation and enforcement of federal laws.” Please see *Attachment F* for Land Management reference to shoreline stabilization. This is another program recommendation which is in concert with the rules in the description of Parcel 99 to promote rip rap but is contradicted by TVA Staff actions and rules.

Since the License Agreement process seemed to be yielding no results, following the completion of our new home in March 2020, we personally requested permission to add a planting area consisting of native plants and flowers on the TRDA land abutting our property. We made the request to [TVA Natural Resources Staff], Watershed Representative in Knoxville, supplying a complete plan, proposed map and lists of indigenous plants desired. [TVA Natural Resources Staff] investigated our request and informed us her superiors told her our requested had to be transferred to the TVA Staff working on the TVA proposed License Agreement described herein.

### 3. Attempts to Resolve Conflicts Between TVA and Kahite Property Owners:

Please note, a complete timeline of the events and parties involved in attempting to establish a Kahite License Agreement is included as *Attachment G*. The following summarizes those events for inclusion here.



The following actions have taken place beginning in 2014 and have continued to date:

- a) In June 2014, each of the Kahite 15 property owners received a letter from the TVA demanding they “cease and desist the encroachment on their land.”
- b) The K 15 property owners met several times with TVA representatives to get permission to use the TRDA land abutting their properties in a manner consistent with other Kahite property owners, i.e., cut grass, plant shrubs and flowers, etc., pending TVA permission.
- c) During the period the property owners were seeking to change the zoning designations and talking to TVA representatives, they were told on May 12, 2015 by [TVA Manager], that she was going to plant 250 trees and bushes along the TVA shoreline abutting the TRDA land that abuts the K15 properties. She said she was going to create a natural buffer, in essence blocking our views of the water. She also said the TVA would come out and kill all the grass on the TRDA and TVA land to keep the dust down, and until the natural growth appears, they will put down pine straw.
- d) This upset the Kahite 15. They were blocked at every turn in attempting to resolve their issues. On May 19, 2015, several homeowners went to the UT campus Baker Building, the location of a TVA Board Meeting and demonstrated outside the building to call their perceived injustices to the attention of the TVA Board. They briefly talked to Senator Coker, and other board members prior to the meeting, about the reasons for the demonstration.
- e) As a result of the demonstration and meetings with Senators Coker and Alexander, and the TVA President, [TVA Attorney], a TVA Attorney was instructed to resolve the matter. She sent a letter to all K15 property owners and said the TVA wanted to continue the discussion, explore other options for the buffer area and offered the possibility of a License Agreement.
- f) The TVA rescinded the plan to kill the grass on the TRDA and TVA properties and plant the 250 trees and bushes.
- g) [TVA Attorney] met with the K15 homeowners to develop a plan which would be acceptable to both parties. [TVA Attorney] turned the matter over to [TVA Manager 2].
- h) As unbelievable as it sounds, [TVA Manager 2] visited the K15 sites and adjacent TRDA and TVA lands and requested that the 15 property owners prepare a comprehensive tree map of each of the Kahite 15 residential properties, and the adjacent TRDA and TVA lands, showing each of the 580 trees growing on all 15 residential, TRDA and TVA lands, the species of each tree, the height and circumference of each one. (underline added for emphasis)
- i) [K15 Property Owner 1], one of the K15 property owners who is also an engineer volunteered to lead the study. An arborist was hired to determine species.
- j) Although this was a lengthy, arduous project, the tree study was very professionally done and presented to TVA on 12-2-2015.
- k) In addition to the License Agreement, the K15 property owners are required to establish a separate Property Owners Association, paying for all costs including legal fees to establish it and any ongoing management and insurance premiums. It must have its own Board of Directors. The K 15 will be expected to be members and governed by the Board which must sign off on the License Agreement. The requirement to belong to this POA is in addition to having to belong to the Tellico Village POA.
- l) The TVA also requires that all property owners by going through the newly formed POA purchase a separate Liability insurance policy to protect the TRDA and the TVA from any lawsuits resulting from the use of their land by the K15 property owners. This will cost the K15 property owners a monthly or yearly premium. It needs to be

stated here that we believe that no property owner should be forced to purchase insurance to protect property they do not own.

- m) The newly created Kahite POA Board will be required to sign off on all documents to form the License Agreement as well as ongoing requests submitted by K15 property owners.
- n) Some of the K15 property owners also met with [TRDA Staff], the President of TRDA, to solicit his help in getting the classifications changed. He was sympathetic to the request and said he was waiting until another major TRDA installation in the Lenoir City was underway. He felt he could then assist in making the changes requested. [TRDA Staff] retired before any of this took place.
- o) When purchasing our lot in 2017, we learned about the efforts of [K15 Property Owner 2] and [K15 Property Owner 3], K15 property owners, to meet the TVA's demands and the fact that the tree survey, including a plan to remove and replace trees as part of the proposed License Agreement, had been submitted. Since we had not been one of the original participants, we prepared and submitted an addendum to the original plan to request adding native vegetation to the TRDA land abutting our property to beautify it. The addendum was submitted to [TVA Project Manager], the TVA Manager responsible for the License Agreement project at that time. We met with [TVA Project Manager] via telephone to review the addendum we presented and asked for his help in expediting the approval process so we could include our plans in the construction of our house which was underway. No action was taken, and the plan and addendum are in the same state as they were in 2017, four years ago.
- p) The property owners have continue to talk to TVA staff to come up with a License Agreement. There has been no progress to date. In fact, the TVA proposed License Agreement with the Kahite 15 property owners has been dragging out for six years now.

#### 4. TVA Proposed Agreement

- 1) As previously stated, a License Agreement was to be developed to allow the K15 property owners to use the TRDA land abutting their properties in a manner consistent with the status of other Kahite property owners. This effort began in meetings between several different TVA managers, including [TVA Manager 2] and [TVA Program Manager 2], both of whom we understand have retired, and two representatives of the property owners, [K15 Property Owner 2], and [K15 Property Owner 3], in 2015
- 2) In 2016, [TVA Project Manager], TVA Manager, was assigned as the Project Leader. [TVA Project Manager] attempted to address some of the issues before he was reassigned from Lenoir City to Johnson City in 2018.
- 3) Unfortunately, the project sat untouched until [TVA Project Manager] was promoted in 2019 and he reassigned it to [TVA Land Use Specialist], another TVA Manager located in Alabama.
- 4) Most, if not all, of the TVA team member who were familiar with and worked on the proposed License Agreement with [TVA Project Manager] had left their jobs or were retired, so [TVA Land Use Specialist] had to develop a new team and bring them up to speed so they could resume working on the License Agreement.
- 5) We were told that an Environmental Impact person had to be appointed to personally survey each lot and prepare a report for the committee. We also understand this may have taken place.
- 6) We were also told a sign-off must then be obtained from each department within TVA.
- 7) Once the signoffs would be obtained, a press release would have to be published for public review and comment, giving readers 30 days to respond.

- 8) The TVA was then to meet with each property owner to determine what they want to do on the TRDA and TVA lands.
- 9) If there were no adverse comments, approval to proceed would be needed from the potentially affected Indian tribes. We understand this approval has been obtained.
- 10) We were told that if the Indians approved the Plan, the License Agreement could go forward.
- 11) Under the new POA, if a member wishes to modify the TRDA land adjacent to their property, they will have to pay a nonrefundable fee of \$1500 when the request is submitted. However, if several property owners group their requests, the fee will be based on a single request. The fact that a request is made does not mean it will automatically receive approval. One could pay the \$1500 and still not receive approval to proceed with their plan.
- 12) At the time of our discussion with [TVA Project Manager], in 2017, he estimated that the completion of the remaining steps would require another 6 months or more due to the bureaucratic handling within the TVA.
- 13) We have now been following the development of the License Agreement with [TVA Land Use Specialist]. We have been told he is working on getting a team in place and organizing an approach to get the License Agreement in place.
- 14) On Friday, February 26, 2021, the Kahite representatives, [K15 Property Owner 2], and [K15 Property Owner 3], received a copy of a proposed License Agreement from [TVA Land Use Specialist]. Unfortunately, the package contained the same exact information submitted over 3 years ago to the Kahite representatives. None of the comments previously provided by [K15 Property Owner 2] or [K15 Property Owner 3] had been incorporated into this draft. The preparation of a response will now require resending the comments previously sent, dragging out the process even further.

5. Advantages to the Kahite Property Owners by Changing Zones:

- Provides the same status as all other Kahite Waterfront Property Owners.
- Enables 15 Property Owners to mow lawns down to water's edge as all other property owners do now, apply to install shoreline management methods such as rip rap to prevent further erosion of TVA land, remove trees with TVA approval, and plant native vegetation after obtaining specific permission from the TVA.
- Eliminate the need for the Kahite 15 to create a special Property Owners Association with its related ongoing management, filing, legal and insurance costs.
- Eliminate the need to pay for the Liability Insurance the TVA is requiring the K 15 property owners to purchase as part of the proposed License Agreement to protect TRDA and TVA from lawsuits arising from activity on their land.
- To the best of our knowledge, no other property owner in Kahite or all of Tellico Village has been subjected to having to buy liability insurance to insure TVA/TRDA property.

6. Advantages to the TRDA and the TVA if Zoning was Changed as Requested:

- Eliminate the significant work effort of the TVA in preparing and executing a License Agreement for only 15 small, fragmented properties along the hundreds of miles of shoreline owned by the TVA.
- Eliminate the work and costs associated with creating an unnecessary Property Owners Association that would consist of the K 15 property owners.
- Eliminate the TVA's administrative burden of managing and maintaining the License Agreement for years into the foreseeable future.
- Eliminate the extremely negative publicity expected to arise from the affected property owners who have tried to obtain a resolution from the TVA for over 7 years and are

ready to escalate to whatever governmental agency necessary to resolve these issues.

- Stop this 7-year ongoing fiasco that has taken so much effort and time on everyone's part.

7. Disadvantages of the proposed Zone changes to the TRDA and TVA:

- None

8. Disadvantages to the 15 property Owners if the TVA agrees to the changes proposed by them:

- None

9. Advantages or Disadvantages to the Eastern Band of the Cherokee Indians:

In our view, there appear to be no advantages or disadvantages to the Eastern Band of Cherokee Indians who own some of the property on the other side of the reservoir. We have been told by TRDA and TVA representatives over the years that these changes would not be a concern for the Indians.

10. Bottom Line:

- Zone 3 should be changed to Zone 7 as soon as possible in Parcel 99, making the K15 properties just like all other Kahite waterfront properties.
- Change the TVA-600000A Contract between TVA/TRDA to allow the sale of the fragmented land to the 15 Kahite property owners who may desire to purchase the TRDA property that abuts their land.

The implementation of the proposed Zoning changes is a win-win situation for all stakeholders!

We believe the TVA should redirect its efforts from establishing a License Agreement to the rezoning of Parcel 99, Zone 3. The proposed License Agreement along with the required Property Owners Association, the required Liability Insurance Policies and the need for ongoing oversight and management, is far too cumbersome and costly for both the TVA and the 15 property owners to establish and maintain now and into the future.

There is something inherently wrong with an issue this small requiring 7 years of massive resources on the parts of the TVA and the Kahite 15 property owners with no resolution in sight.

In conclusion, the purpose of filing our comments regarding the TVA Land Management Plan Update is to:

- Solve a long-standing zoning problem for the owners of 15 properties in Kahite, Lots; 29, 30, 31, 33, 34, 35, 36, and 37 on Golanvyi Trail, and Lots; 24, 25, 26, 27, 28, 29, and 30 on Hiwonihi Trail, by changing the zoning of these lots from Parcel 99, Zone 3 Sensitive Resource Management, to Zone 7, Residential.
- Address and resolve the disparate treatment of TVA stakeholders and property owners which has gone on for many years.
- Correct long-standing discrimination against TVA stakeholders who own property adjacent to TRDA land.
- Treat K15 stakeholders with care, consistency, and uniformity.

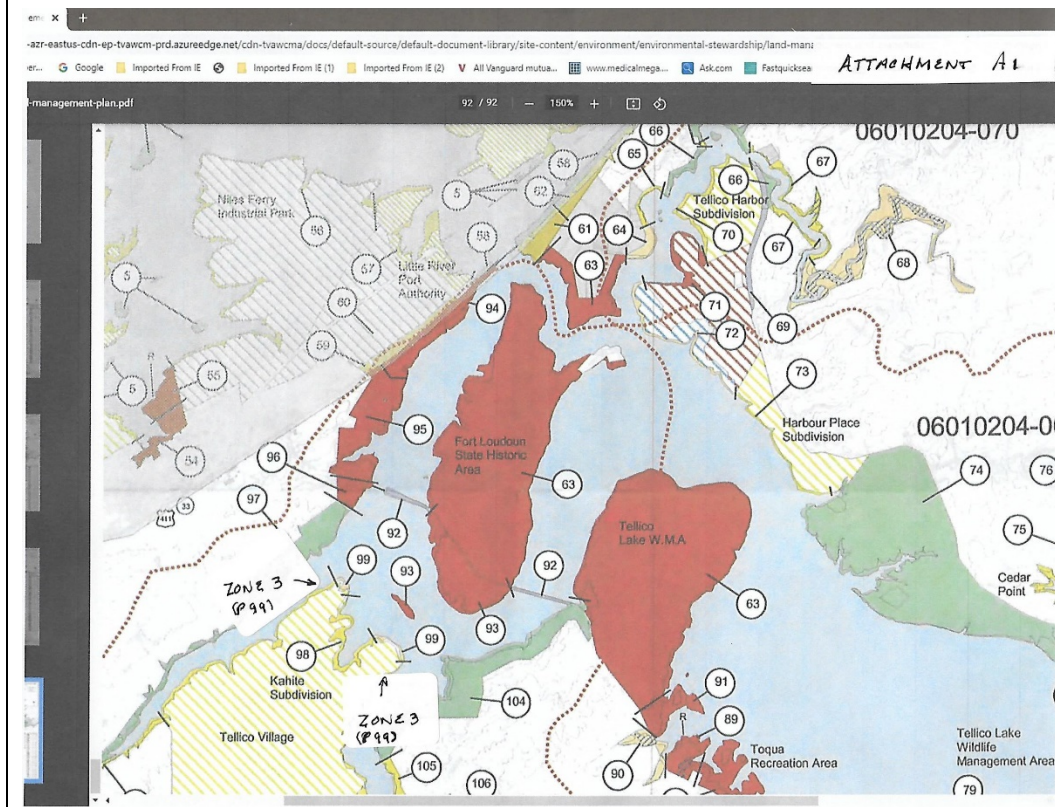
- Change the TVA-600000A Contract between TVA/TRDA to allow the sale of the fragmented land to the 15 Kahite property owners whose property abuts the TRDA land.

Please note: On the TVA Live Webinar held on February 25, 2021, it was mentioned that it could be 2022 until progress can be seen on the proposed zoning revisions. This is extremely hard for those of us who are directly affected by our proposed changes to accept since we believe we have waited long enough for a resolution. Adding another year to the 7 years this issue has been pending is far too long for a public utility to hold its stakeholders hostage waiting for a resolution to an apparent oversight that has been pending for over 20 years.

Anything the Land Management team can do to respond immediately to the request for the Zoning change described herein would be most appreciated by the Kahite 15 property owners.

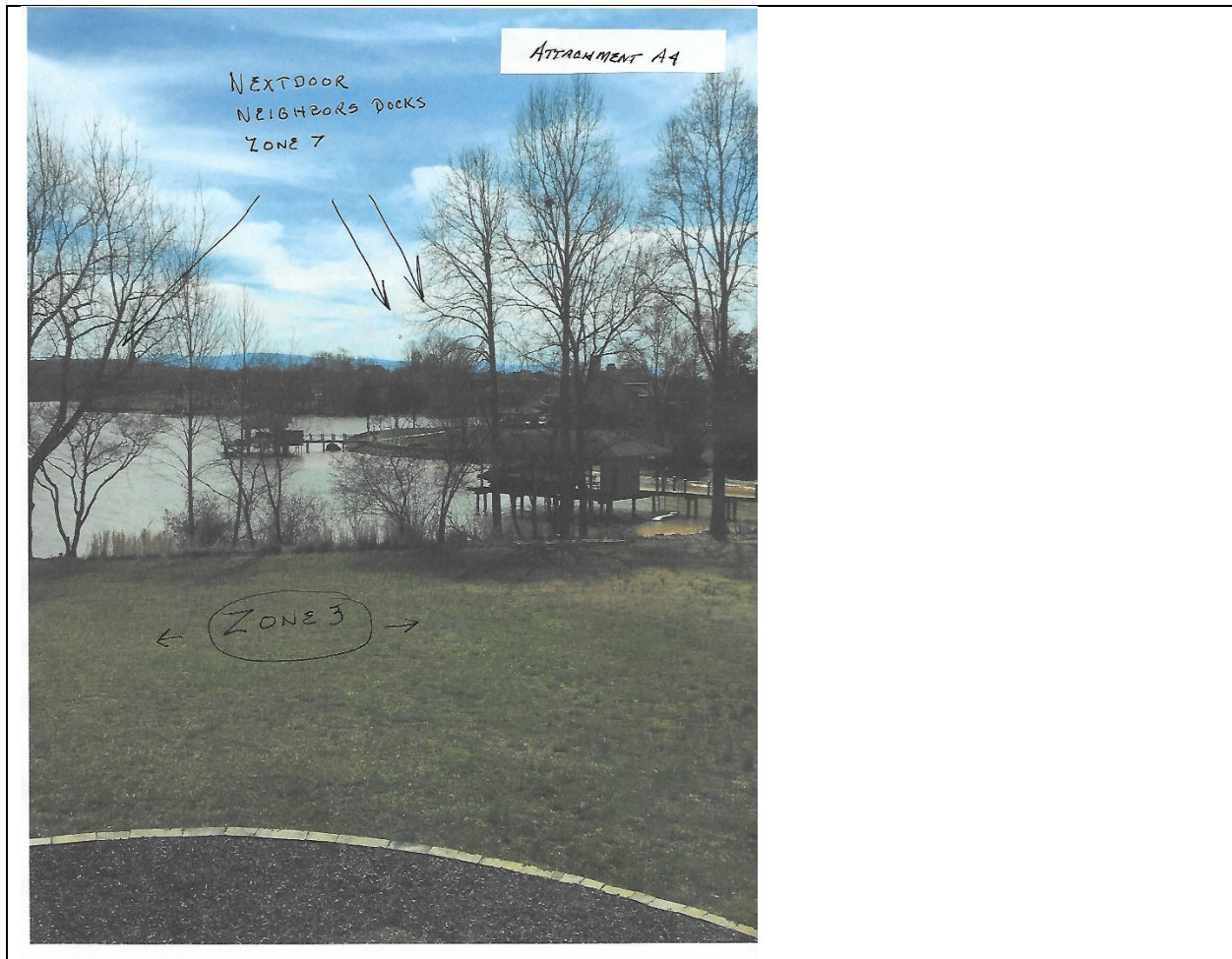
Please inform us as soon as possible whether you plan to address this request as part of the updating of the TVA Land Management Plan.

Thank you for your consideration.











# Reservoir Land Management Planning Zones

## Zone 1: Non-TVA Shoreland

This is shoreland located above summer pool elevation that TVA does not own in fee, or land that was never purchased by TVA. TVA does not allocate private or other non-TVA land. This category is provided to assist in any comprehensive evaluation of potential environmental impacts of TVA's allocation decisions.

## Zone 2: Project Operations

This category includes all TVA reservoir land currently used for TVA operations and public works projects. It includes:

- Land adjacent to established navigation operations: locks, lock operations and maintenance facilities and the navigation work boat dock and bases
- Land used for TVA power projects operations: generation facilities, switchyards and transmission facilities and rights-of-way
- Dam reservation land: areas used for developed and dispersed recreation, maintenance facilities, watershed team offices, research areas and visitor centers
- Navigation safety harbors/landings: areas used for tying off commercial barge tows and recreational boats during adverse weather conditions or equipment malfunctions
- Navigation dayboards and beacons: areas with structures placed on the shoreline to facilitate navigation
- Public works projects: includes fire halls, public water intakes, public treatment plants, etc.
- Land planned for any of the above uses in the future

## ✓ Zone 3: Sensitive Resource Management

This land is managed for protection and enhancement of sensitive resources. Sensitive resources, as defined by TVA, include resources protected by state or federal law or executive order and other land features/natural resources TVA considers important to the area viewscape or natural environment. Recreational natural resource activities, such as hunting, wildlife observation and camping on undeveloped sites may occur in this zone, but the overriding focus is protecting and enhancing the sensitive resource the site supports. Areas included are:

- TVA-designated sites with potentially significant archaeological resources
- TVA public land with sites/structures listed on or eligible for listing on the National Register of Historic Places
- Wetlands: aquatic bed, emergent, forested and scrub-shrub wetlands as defined by TVA.
- ✓ • TVA public land under easement, lease or license to other agencies/individuals for resource protection purposes
- TVA public land fronting land owned by other agencies/individuals for resource protection purposes
- Habitat Protection Areas: these TVA Natural Areas are managed to protect populations of species identified as threatened or endangered by the USFWS, state-listed species and any unusual or exemplary biological communities/geological features
- Ecological Study Areas: these TVA Natural Areas are designated as suitable for ecological research and environmental education by a recognized authority or agency
- Small Wild Areas: these TVA Natural Areas are managed by TVA alone or in cooperation with other public agencies or private conservation organizations to protect exceptional natural, scenic or aesthetic qualities that can also support dispersed, low-impact types of outdoor recreation
- River corridor with sensitive resources: a river corridor is a linear green space along both stream banks of selected tributaries entering a reservoir managed for light boat access at specific sites, riverside trails, and interpretive activities
- Significant scenic areas: these are areas designated for visual protection because of their unique vistas or particularly scenic qualities
- Champion tree site: areas designated by TVA as sites that contain the largest known individual tree of its species in that state; the state forestry agency Champion Tree Program designates the tree, while TVA designates the area of the sites for those located on TVA public land
- Other sensitive ecological areas: examples of these areas include heron rookeries, uncommon plant and animal communities and unique cave or karst formations

## Zone 4: Natural Resource Conservation

This is land managed for the enhancement of natural resources for human use and appreciation. Management of resources is the primary focus of this zone. Appropriate activities in this zone include hunting, timber management to promote forest health, wildlife observation and camping on undeveloped sites. Areas included are:

- TVA public land under easement, lease or license to other agencies for wildlife or forest management purposes



Parcel Allocation

**Parcel 96** (13.4 acres [5.42 hectares]) HUC No. TN-06010204-120

Zone 6, Recreation

Parcel 96 is affected by a permanent easement (XTTEL R-29RE) to the Eastern Band of Cherokee Indians over that portion above the 820-foot contour for the purpose of future home sites for the employees of the Sequoyah Memorial Project. No lake access or other rights were conveyed under the easement below the 820-foot contour. This parcel is covered with a mixture of hardwood and pine trees and is located on the west side of Citico Road on the left descending bank of the Tellico River at approximate Mile 1.5.

*Prior Designation: Eastern Band of the Cherokee Indians  
Memorial Site*

**Parcel 97** (79.1 acres [32.01 hectares]) HUC No. TN-06010204-120

Zone 4, Natural Resource Conservation

This parcel begins on the left descending shore of the Tellico River at approximate Mile 1.6 and runs the entire length along the north side of Fourmile Creek. From the mouth of Fourmile Creek to the small slough at Niles Ferry Road, the parcel is largely covered with hardwood trees and small areas of pine trees. From the slough at Niles Ferry Road to the head of Four Mile Creek, this segment becomes narrow and is used primarily for road right-of-way. Early in the development of the Tellico Project several private recreation easements were granted in this area. However, due to highway safety and other concerns, recreation easements are no longer considered at this location. Outstanding ingress/egress rights also affect the parcel.

Two historic structures are located on private land in the immediate vicinity of this parcel. The parcel will be managed as a riparian buffer and to protect the visual integrity of these structures.

*Prior Designation: Cultural/Public Use/Open Space Area*

**Parcel 98** (27.8 acres [11.25 hectares]) HUC No. TN-06010204-120

Zone 7, Residential

Parcel 98 is the narrow strip of land fronting Kahiti Subdivision. It meanders the 820-foot contour along Fourmile Creek and portions of Tellico River. Kahiti Subdivision is located on land XTEL R18 that was conveyed to TRDA for residential development.

Water use facilities may be considered once they have been reviewed and approved by the Tellico Village Architectural Control Committee. Shoreline development in this subdivision is governed by the master plan for Tellico Village.

✓  
KAHITI  
ZONE 7

## Parcel Allocation

Parcel 98 varies in forest cover types from pine-hardwood mixes to pure pines, hardwoods and open fields.

*Prior Designation: Private Residential*

**Parcel 99** (3.0 acres [1.2 hectares]) HUC No. TN-06010204-120

Zone 3, Sensitive Resource Management

- ◇ Kahite Subdivision
- ◇ Navigation Dayboards

This split parcel meanders the 820-foot contour and serves as a visual buffer between Tellico Village's Kahite Subdivision and Fort Loudoun State Historical Area and the Sequoyah Museum. The parcel fronts land (XTELR-21 and -22) that was conveyed to TRDA for this same purpose and is now part of Kahite Subdivision. Parcel 99, has a variety of tree cover and will be maintained in its natural state. Private water use facilities can not be considered for approval on this parcel. However, bank stabilization through the use of riprap or bioengineering techniques may be considered.

*Prior Designation: Cultural/Public Use/Open Space Area*

**Parcel 100** (17.3 acres [6.99 hectares]) HUC No. TN-06010204-120

Zone 4, Natural Resource Conservation

Parcel 100 is located in on the north shore of Comtassel Branch between Kahite and Lakeview Shores Subdivisions. The majority of this parcel is currently open field with tree cover along the shoreline. Some informal recreation occurs on the parcel. Field surveys identified areas of several sensitive resources. Because of these findings, any proposed use or activity for this parcel will be reviewed and approved by the appropriate staff. Future management decisions will address these resources as necessary.

*Prior Designation: Cultural/Public Use/Open Space Area*

**Parcel 101** (11.9 acres [4.8 hectares]) HUC No. TN-06010204-120

Zone 7, Residential Access

Parcel 101 fronts Lakeview Subdivision on the north shore of Comtassel Branch and Comtassel Shores Subdivision on the south shore. This entire parcel is affected by outstanding ingress/egress rights or would qualify for the purchase of private recreation easements. However, since some sensitive resources were identified on both sides of Comtassel Branch, any request for private facilities will be closely reviewed prior to approval.

*Prior Designation: Cultural/Public Use/Open Space Area*

✓  
KAHITE  
ZONE 3

## Parcel Allocation

courtesy pier. Activities such as swimming and fishing are not allowed at the boat ramp or courtesy pier.

This area is accessible from Vonore by Highway 360 (Citico Road) and is located along the left descending bank of Little Tennessee River at Mile 22.

Prior Designation: Public Use Recreation Area

Parcel 90 (12.6 acres [5.08 hectares]) HUC No. TN-06010204-060

Zone 3, Sensitive Resource Management

Parcel 90 is a small tract located just upstream of Toqua Recreation Area and is split by Highway 360 (Citico Road). Field studies identified several sensitive resources on the parcel. Any proposed land-disturbing activities would require additional review. Outstanding deeded ingress/egress rights affect the southwest portion of this parcel.

Prior Designation: Cultural/Public Use/Open Space Area

Parcel 91 (24.1 acres [9.76 hectares]) HUC No. TN-06010204-060

Zone 6, Recreation

This parcel, known as "the Boot", serves as a buffer between the Toqua Recreation Area and the TDEC-managed McGhee-Carson Unit. TDEC has expressed an interest in managing this parcel for recreation purposes. With the exception of the "toe" and the outside borders, this parcel is clear of hard-stemmed vegetation and is under an interim agricultural agreement. Field surveys identified sensitive resources exist. These resources will be addressed as future management decisions are made on this parcel.

This parcel of TVA land is located off of Highway 360 (Citico Road) across from Toqua Church.

Prior Designation: Cultural/Public Use/Open Space Area

Parcel 92 (7.9 acres [3.18 hectares]) HUC No. TN-06010204-120

Zone 2, Project Operations

Parcel 92 consist of the bridges and approach fills for Highway 360 which has been transferred to the Monroe County Highway Department. This road and the bridges are identified as Project No. 65-7047, Vonore-Toqua Road.

Prior Designation: Highway

Parcel 93 (65.0 acres [26.29 hectares]) HUC No. TN-06010204-120

Zone 6, Recreation

◊ Sequoyah Birthplace and Memorial Museum

Parcel 93 (XTTEL-27RE) is located on Fort Loudoun Island along the south side of Highway 360 (Citico Road). Included in this parcel is a small island

*Tellico Reservoir Land Management Plan*

55

ZONE 6  
SEQUOYAH



*Parcel Allocation*SEQUOYAH  
CONTINUED

located at Tellico River Mile 2.1. The Eastern Band of Cherokee Indians were granted a permanent easement over this parcel for public/commercial recreation use and development in association with this memorial of the American Indians' presence in the Tellico Reservoir project area. Current facilities and attractions include a parking lot, courtesy pier, pavilion, amphitheater, the Sequoyah Birthplace Museum, and the Cherokee Memorial (the final resting place of 191 individuals whose remains were exhumed prior to inundation of the Cherokee village in 1979).

If the conceptually proposed Eastern Band of Cherokee Indians Development becomes a formal proposal, the compatibility of the proposal with this parcel's land use allocations or zoning would be considered and would be subjected to the appropriate level of additional environmental review.

*Prior Designation: Eastern Band of the Cherokee Indians Memorial Site*

**Parcel 94** (37.5 acres [27.5 hectares]) HUC Nos. TN-06010204-120 and TN-06010204-140

Zone 6, Recreation

Parcel 94 includes 12.5 acres of land (Tract No. XTTELR-17RE) that was conveyed to TRDA for public recreation purposes. The parcel is located along Highway 411 immediately east of the Little Tennessee River bridge. The Eastern Band of the Cherokee Indians have expressed interest in use of this parcel for commercial recreation purposes. Much of the area is covered with a mixture of hardwoods, some pine trees and a kudzu infestation. Slope ranges from gentle to moderate. A small parking lot, launching ramp and fishing pier are located on the TRDA easement portion of this parcel.

*Prior Designation: Public Use Recreation Area and Cultural/Public Use/Open Space Area*

**Parcel 95** (68.0 acres [27.52 hectares]) HUC Nos. TN-06010204-120 and TN-06010204-140

Zone 6, Recreation

Parcel 95 is located on the left descending bank of the Tellico River between River Mile 0.5 and the Citico Bridge. The terrain is gently sloped and for the most part is used for pasture under an interim agricultural agreement. Two private recreation easements are located on this parcel in the slough near Citico Bridge. No other properties adjoining this parcel qualify for easements.

The location of this tract in the developing area of Vonore makes the site desirable for a future public recreation use.

*Prior Designation: Cultural/Public Use/Open Space Area*

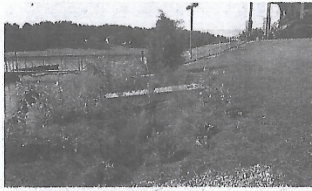
# The Watershed Association of Tellico Reservoir

By JOHN SHRYOCK

The beauty and versatility of Tellico Lake and the reservoir from Chilhowee Dam to Tellico Dam in Lenoir City is important to us all. The Watershed Association of Tellico Reservoir (WATeR) is a not-for-profit organization dedicated to protecting and improving the quality of this body of water and the streams and rivers that feed into it.

WATeR recognizes that growth of algae causing a "greening" effect in the reservoir is a present threat to water quality because algae can lead to the development of slime and the growth of unwanted plants at the shoreline. Clean water is important to those who swim and fish in the reservoir and esthetically pleasing to recreational visitors who spend millions of dollars in our area. Property values are sustained by pristine waters and shorelines. Prevention is key! To protect the greening effect in the watershed, WATeR is enlisting the help of property owners around the lake to take action to prevent greening. One major solution is for lakefront homeowners to plant a "riparian garden" (a garden that exists alongside a river) on their property to reduce the flow of nitrogen, phosphorous, and bug and weed chemicals into the Tellico Reservoir and damaging its water quality.

What does it do? An effective riparian buffer zone on



The demonstration riparian garden in Tellico Village. Note the swale in the middle one-third of the garden. It holds water from lawns, allowing the plants time to absorb phosphorous, nitrogen, and other harmful chemicals from entering the lake.

the waterfront slows and absorbs rainwater runoff from the fertilized lawn above it. Plant roots in buffer zones take up nutrients off the lawn, and bacteria take up and metabolize pesticides in runoff from the lawn so they do not enter the lake. The larger the size of the riparian zone, the greater the likelihood that it will be effective to absorb excess nutrients that run off from lawns, but even a small buffer zone with native plants and porous soil is preferable to lawn grass. The riparian zone can decrease the risk of soil erosion and also serve as an esthetically

pleasing way to increase wildlife habitat.

Where can I see one? WATeR volunteers recently installed a demonstration riparian garden at the Rock Point boat dock in Rarity Bay. It was dedicated to Mary Bridges in a well-attended ceremony on October 28, 2019. A second demonstration garden was installed on the waterfront behind the Tanasi Clubhouse in Tellico Village and will be dedicated on April 6th of this year.

A second problem is algae. Algal growth is increased by phosphate, and the major source of phosphate is fertilizer that is applied to, and runs off from, waterfront properties into the lake. The quantity of these negative nutrients or fertilizers and pollutants such as weed and bug killers increases each year due to the increase of homeowners in and around the Tellico Reservoir. A second solution to prevent greening is the use of low-phosphate fertilizers on lawns. Homeowners are encouraged to ask local lawn maintenance services and fertilizer suppliers to use and sell low or phosphate-free fertilizers.

Where can I get more information? Visit WATeR's website at [www.tellicowater.org](http://www.tellicowater.org) or email [lm23@aol.com](mailto:lm23@aol.com) to request a consultation from a WATeR specialist because other conditions such as sun, shade, and elevation can influence the design of your garden. Please visit either demonstration site. The kiosk has construction information and a list of native Tennessee plants used.

ATTACHMENT E



## Land Management

### TVA Land Policy

TVA's Land Policy spells out exactly how the agency manages the reservoir system and its 293,000 acres of surrounding lands to maximize public enjoyment, flood control, navigation, power production and economic growth.

### Reservoir Land Management Plans

TVA Land Management Plans reflect the application of its Land Policy in regard to the management of its reservoirs and the lands surrounding them. They govern decisions about whether land is retained or not, and establish how the land may be used and by whom.

### Shoreline Stabilization

Keeping shorelines healthy and strong enhances landowners' property, and also helps protect water resources, reduce erosion and maintain wildlife habitat.

### Cultural Resource Management

TVA makes extensive efforts to protect its cultural heritage through protecting archaeological resources, preserving historic sites, tracking its history through records and photography, offering information on relocated cemeteries, working with Native American tribes and more.

### Rules for Use of TVA Public Lands

This list of rules for the use of TVA's public lands is designed to let recreational users have fun today, but also to preserve these beautiful natural assets for generations to come.

### Preserving Wildlife Habitat

More than 181,000 acres under TVA's management have been set aside for natural resource management with the intention of preserving natural wildlife habitats, protecting endangered plant and animal species and enhancing the biodiversity of the Tennessee Valley region.

### Land Actions Open for Comment

[Proposed Section 26a Permit Harbor Limit Expansion and License for Commercial Recreation on Norris Reservoir](#)

[Proposed Section 26a Permit and Harbor Limit Expansion for Harbor Cove Marina on Hiwassee Reservoir](#)

[Proposed Section 26a Permit and Harbor Limit Expansion for Commercial Recreation on Norris Reservoir](#)

[Proposed Section 26a Permit for a New Marina on Chatuge Reservoir](#)

[Proposed Commercial Recreation Easement on Watts Bar Reservoir](#)

### Contact the Public Land Information Center

A single source for answers to your questions about recreation, shoreline actions and issues, permitting procedures, land policy, cultural resources, natural resources, water resources, and other public land topics.

[CONTACT THE PLIC](#)

[See other land use public notices](#)

### Public Land Protection Policy

Because of the importance of TVA public land to the region, it continues to be TVA's policy to manage its lands to protect the integrated operation of the TVA reservoir and power systems, to provide for appropriate public use and enjoyment of the reservoir system, and to provide for continuing economic growth in the Valley. Further, it is TVA's duty to prevent abuse and destruction of TVA public land and take necessary steps to remedy unauthorized uses and encroachments. [Read more about the Public Land Protection Policy.](#)

#### CONTACT

430 WEST SUMMIT HILL DRIVE

KNOXVILLE TN 37902

(865) 632-2700

TVAINFO@TVA.COM



## Attachment G

### *Timeline of Events and Actions taken by the TVA and the K15 Property Owners to Resolve Zoning Issues*

6-12-2014: Letter dated 5-29-2014 was sent from TVA to all 15 Kahite property owners ordering them all to cease and desist encroachment on TVA land

10-21-2014: [TVA Manager] visited [K15 Property Owners 2, 6, 7] properties to look at TRDA and TVA lands behind the residential properties

10-22-2014: Neighbors placed "For Sale, TVA Forced Distress Sale" signs on their properties fearing TVA threatened action. TVA elected to pause on actions.

A few weeks later, [K15 Property Owner 4, 5] visited TVA, Knoxville Headquarters with the intent to see the TVA President. Instead, they were given the opportunity to meet with the President's aide whose first name was [TVA President's aide]. [K15 Property Owner 4] was the only one of the K15 to meet with him stating that is what [TVA President's aide] preferred. [TVA's President's aide] subsequently visited and toured the area with [K15 Property Owner 4]. [TVA's President's aide] agreed that something needed to be done and promised to discuss it with those in charge at the TVA.

4-2015: The K15 property owners received an invitation to attend a meeting at TRDA Headquarters on 5-12-2015

5-12-2015: The meeting at TRDA Headquarters was run by [TVA Manager]. She informed the K15 property owners that there will be 250 bushes and trees planted on the two points, Golanvvi Trail and Hiwonihi Trail, to begin the Naturalization buffer process.

She said to assist in the naturalization, in early June the TVA will come out and kill all the grass on the TRDA and TVA lands. To keep the dust down until the natural growth occurs, the TVA will put down pine straw.

5-19-2015: Several of the K15 property owners demonstrated at the TVA Board Meeting held on the UT Campus at the Baker Building. Senator Coker talked with the group about the reason for the demonstration.

Within a few days, [TVA Attorney] was instructed by the TVA President to resolve the matter.

6-25-2015: [TVA Attorney] sent a letter to each of the K15 property owners saying the TVA wants to continue the discussion, explore other options for the buffer area and offered the possibility of a License Agreement. She said she wanted to find a middle ground that balances the competing demands on the area's resources.

8-14-2015: A meeting was held at the Kahite Annex with [TVA Attorney] where she proposed a License Agreement. The K15 property owners agreed it could be an avenue to resolve the differences. [TVA Attorney] turned the matter over to [TVA Manager 2] who said he has a few years until retirement and his job was to complete this before he retired.

8-15-2015: [TVA Attorney] sent a template of a License Agreement to [K15 Property Owner 4]

9-2-2015: [TVA Manager 2] and other TVA personnel visited and walked the TRDA and TVA lands adjacent to the K15 properties. He advised that the K15 property owners needed to produce a tree survey map.

[K15 Property Owner 4] continued discussions and correspondence with [TVA Attorney]. In mid-October, she told [K15 Property Owner 4] that "Nothing you can do will make this public land your back yard."

12-2-2016: The tree survey plan was submitted plan was submitted to the TVA after [K15 Property Owner 1], one of the K 15 property owners, who is a registered engineer, agreed to head up the tree survey efforts.

1-2016: [K15 Property Owner 3], one of the K15 property owners who is an attorney, joined the lead people in dealing with the TVA, including [K15 Property Owners 1, 2]. [K15 Property Owner 4] withdrew his involvement.

1-12-2016: [TVA Natural Resources Staff 2], TVA Arborist and [TVA Project Manager], TVA Manager, walked the TRDA and TVA lands. [TVA Project Manager] is now the point person for the TVA.

4-15-2016: [K15 Property Owners 2, 3] received a copy of TVA's draft License Agreement.

5-12-2016: [K15 Property Owners 2, 3] responded to TVA with comments on the draft License Agreement wording.

6-27-2016: [TVA Project Manager] requested a meeting to discuss the comments provided.

7-27-2016: A meeting was held with [TVA Project Manager], also attended by [TVA Manager 2]. The TVA agreed to rewrite portions of the document after turning down an offer by [K15 Property Owners 2, 3] to rewrite it.

9-13-2016: [K15 Property Owner 3] responded to questions raised by [TVA Project Manager] related to some of the comments [K15 Property Owners 2, 3] had sent in response to the TVA request for comments on 5-12-2016.

11-14-2016: [K15 Property Owners 2, 3] received a copy of the original draft of the License Agreement with TVA's comments on [K15 Property Owners 2, 3]'s proposed language changes without any revisions to the draft itself. [K15 Property Owners 2, 3] requested that [TVA Project Manager] send a new updated draft that reflects the changes based on the TVA's acceptance of their comments.

12-27-2016: [TVA Project Manager] advised that he was still working on the document.

6-29-2017: [TVA Project Manager] advised [K15 Property Owners 2, 3] that the project was off the schedule.

8-9-2017: Henrys complete due diligence before purchasing lot 35. Were told by [TVA Program Manager], TVA Manager, no cutting grass, no planting, no tree removal on lot. We were guilty of Federal Trespassing and could either go to jail or be fined or both. Told us that Natural Resource Management was working with the K15.

10-25-2017: [K15 Property Owners 2, 3] inquired about status with [TVA Project Manager]

11-3-2017: Conference call with [TVA Project Manager] and Henrys. Received instructions from [TVA Project Manager] about how to file an amendment to the plan to add Henry's plan to include new indigenous plants on TRDA land to complete the landscaping of their new home under construction.

12-5-2017: [K15 Property Owners 2, 3] received a revised draft of the License Agreement from [TVA Project Manager].

2-6-2018: New Addendum for Henrys requested plantings sent to [TVA Project Manager] for inclusion in agreement.



3-31-2018: [K15 Property Owners 2, 3] respond with detailed edits and comments.

5-2020: Conference call on which [TVA Project Manager] said he had not touched the License Agreement since he had been transferred and that he was moving the responsibility for the document to [TVA Land Use Specialist] in Alabama.

8-10-2020: [TVA Land Use Specialist] advised [K15 Property Owners 2, 3] that the License Agreement is next on his list to do.

2-25-2021: [K15 Property Owners 2, 3] received a copy of the License Agreement from [TVA Land Use Specialist], however, none of the comments or changes they submitted to [TVA Project Manager] on 3-2018 were included.

As of 3-2021: There has been no progress on the License Agreement that was begun in 2015.

Zack Cusick  
Lenoir City Parks and Recreation  
March 18, 2021

[Email subject heading: "Support"] I support the move to allow this 100-acre tract by Fort Loudoun Dam and Tellico Dam to be changed to Developed Recreation use in Lenoir City, TN. Thank you for all that you do and we look forward to the great things this change would bring to Lenoir City!

Dane Ogden  
Ogden Insurance Inc  
March 18, 2021

I support the revision for recreation improvements for Lenoir City area and the proposed bridge park.

Allison Sousa  
The Venue at Lenoir City  
March 18, 2021

As a part of the Lenoir City Committee of 100, we have been watching this project progress and are very excited to voice our overwhelming support. The plan accurately reflects the public input. Executing the plan opens up the beautiful land and water for residents and visitors to enjoy, while providing an economic boost to the city and region. Seems like a win-win for both TVA and the community. Thank you for continuing to drive this plan to fruition!

Mary Sue Jordan  
March 19, 2021

[Email subject heading: "economic development in Loudon County tn"] Dear Sirs: As a resident of Loudon County, I fully SUPPORT your efforts in the development of the lake front recreational area. Sincerely,

Charlene Hipsher  
March 19, 2021

[Email subject heading: "I support the outdoor recreation use of TVA land"]

I am a Committee of 100 member through Align9. Let me know how I can be of further assistance.

Marsha Herzog  
Loudon, TN  
March 19, 2021

[Email subject heading: "Support land use changes"] I am a resident of Tellico village and a past member of the Committee of 100. I strongly support the land use changes proposed, as the add value to the region and are part of the master plan for the approx. 800 acres on and around the ft loudon lock area. Thank you for putting these proposals forward!

Gerald Ubben  
March 19, 2021

[Email subject heading: "Lenoir City/TVA land use plans. I was a Loudon County School Board member and a Committee of 100 member when new development plans were started several years ago. I am excited to see the projects moving forward and will be happy to continue to volunt"]eer as a Loudon County citizen on any additional planning activities.

Doug Davis  
Rotary Club of Lenoir City  
March 19, 2021

I support your plans for the improvements to the 100 or Ac. at the cannal bridge in Lenoir City near the Loudon Damn.

[Email subject heading: "I support you plans for 100 Ac park ."]

John Goddard  
UT Extension  
March 19, 2021

I'm glad TVA is investing into our community. Some great ideas came out at our public forum in Lenoir City. What happened to the multi purpose ag pavilion idea? Thanks for listening!

Mary Bright  
Historic Downtown Lenoir City Merchants Association  
March 19, 2021

Good morning. As a representative of the downtown business association, we are very much in favor of the development of the TVA land area for purposes of recreation. This development would benefit our downtown greatly. I look forward to seeing the purposed uses to draw more tourist into the area.

Matthew Coleman  
Committee of 100  
March 19, 2021

I would like to show my support for the proposed recreational use of the lands surrounding the new Highway 321 Bridge Corridor.

Tony Gibbons  
Loudon County Habitat for Humanity  
March 19, 2021

We believe these changes are in the best interest of the community. Over the past several years many discussions and opinion gathering efforts have been made leading to these changes.

Jeanne Barker  
Lenoir City Schools  
March 19, 2021

I support the revised the Tellico Reservoir Plan as explained in Ms. Webb's video presentation.

JeanAnn Carrigan  
Committee of 100  
March 19, 2021

My husband, John and I are 110% in favor of the land development proposal for recreational purposes. We moved here twenty three years ago. Prior to moving to East TN, where we have made our permanent home, we lived in areas with land developed for recreational purposes in the states of Iowa, Missouri, and Indiana. All of these areas where the river/lake shorelines were developed into beautiful, well utilized facilities, improved the quality of life for residents as well as increase tourism, which naturally brought in additional revenue to the area. In all the areas we have lived and this has been done, it has been a win/win for everyone.

I am a Board Member of the Lenoir City Committee of 100, and "thank TVA" for giving our naturalistic beauty of the Gateway to the Smokey area this wonderful opportunity to have

unparalleled potential in commercial and public recreation developments along the new Highway 321 Bridge Corridor.

I was a facilitator for the public Regional Input Session at the Venue on August 24, 2017. It was amazing to see the total community support for the project and the "excitement in the air" that evening. This community appreciates the natural gifts God has given us in this gorgeous part of the country. They were extremely pumped to have TVA consider all the possibilities of utilizing this property for the benefit of many.

Please proceed with this proposal. We believe many will be most grateful.

Thank you for allowing us input.

Jim Dezzutti  
Loudon, TN  
March 19, 2021

I support the proposal to improve the recreational possibilities along the reservoir, in particular, the 100-acre lakefront parcel parallel to Hwy 321.

[Email subject heading: "Recreational Improvements to Tellico Reservoir"] I wholeheartedly support the proposed recreational improvements along the reservoir, in particular, a 100-acre lakefront parcel parallel to HWY 321.

Tim Sayers  
Knoxville, TN  
March 22, 2021

My wife and I are in favor of the proposed revision to the Tellico RLMP. We believe that they will be beneficial to both area residents and visitors.

Michele Lewis  
Loudon County Education Foundation  
March 22, 2021

Thank you so much for your consideration of this wonderful project. I am very much in support of the suggested change in Land use and look forward to the partnership between Lenoir City, Loudon County, and TVA.

Tim Finnegan  
Committee of 100  
March 22, 2021

Regarding proposed parcel 2 (Tract ID - XTELR-2PT2). I am in favor of reallocating this 99.36 acre tract from Zone 4 (Natural Resource Conservation) to Zone 6 (Developed Recreation). This seems to be more consistent with the trend of land use in and around the Hwy 321 corridor around Lenoir City. Developing more of this TVA land around tourism and recreation is logical and will help boost the economy. Thanks,

David Matlock  
MBI Companies, Inc.  
March 24, 2021

I think this will be a great economic catalysts for the area. I can see this being a terrific destination point for tourist and also local folks.

Tony Binkley  
BBB Serving Greater East TN  
March 24, 2021

[Email subject heading: "Proposed Revision to the Tellico Reservoir Land Management Plan"]

To all concerned:

As a resident of Loudon County, and my position with the Better Business Bureau in the Greater Knoxville area, I fully support the proposed revision of the Tellico Reservoir Land Management Plan. This will be a much needed improvement for our area.

Bob Elliott  
Carriage Hill Insurance  
March 24, 2021

[Email subject heading: "Tellico Reservoir Development"] Please see this email as a vote of support for the consideration of the 100 acre tract along Hwy 321 to be changed to Developed Recreation use in Loudon County. Our area is extremely excited about TVA's willingness to consider these proposals for our area. Kind regards,

Mayor Tony Aikens  
Lenoir City, TN  
March 24, 2021

[Email subject heading: "Lenoir City TVA's Tellico Reservoir Land Management Plan"]

\*\*Please see email below. Mayor Aikens asked me to send this to you on his behalf.  
[Lavonne Barbour]

To TVA Land Plans Committee:

As Mayor of Lenoir City, I know how valuable TVA has been to both our City and the Lenoir City Utility Board. We would not have had the positive growth and quality of life for our citizens without the past leadership and actions of TVA. During my recent terms as Mayor, I have appreciated my interactions with TVA.

As an elected official I am very interested in the proposed revisions TVA staff has made to the Tellico Reservoir Land Management Plan. I believe the plan is forward looking and sets up a balance between needed growth and conservation. With new residential developments

planned in Lenoir City and Loudon County, the demand for developed recreation is going to continue to increase over the next 20 years.

While I am interested in the entire Tellico Reservoir Land Management Plan, the 100 acre tract just off Highway 321 being proposed for recreation is of particular interest. Approval of this land use change would greatly help Lenoir City. Although this area is not in our city limits, it is within our Urban Growth Boundary.

Both I and the Lenoir City Council are supportive of this TVA proposal. Let us know if we can help.

Sincerely

Jinni Redmond  
CD of Knoxville  
March 24, 2021

We need the campground in Lenoir City. I own a seasonal business and every year it gets harder for our seasonal employees to find a spot in a local campground.

Also our family would greatly enjoy more lake family friendly activities!

Bobby Fricks  
East Tennessee Spine & Sport  
March 24, 2021

I am in support of the proposed revision and improvements made by the Tellico Reservoir Land Management Plan. I am excited about the opportunities this opens up for Lenoir City, Tellico Village, Loudon County and surrounding residents and businesses.

Wendell C Redmond  
CD of Knoxville, Inc  
March 25, 2021

We need more lake activities and events to help our local restaurants, hotels and etc.

I also own a seasonal business and have a hard time finding campsites for our employees. It would be great to have another Major RV Campground in Loudon County.

Thank you for this opportunity.

Ed Hammann  
Knoxville, TN  
March 25, 2021

I support the proposed land use changes in Loudon County. I believe that the proposed changes will make both an economic and quality of life improvement to Loudon County.

Angie Gordy  
Lenoir City, TN  
March 25, 2021

These changes sound wonderful! I'm loving the way organizations, groups, and citizens are coming together for the growth of Loudon county.

Andrew Kamp  
March 25, 2021

[Email subject heading: "Tellico Reservoir Area Developments"]

To whom it may concern,

As a member of the Loudon County Chamber of Commerce, we fully support the proposed developments of the region related to recreation as proposed by the Lenoir City Committee of 100 and the Tellico Reservoir Development Agency. Thank you for your consideration.

Leslie Fawaz, AIA, CSI  
Studio Design Director  
East Tennessee Community Design Center  
March 25, 2021

[Email subject heading: "Proposed Revision to the Tellico Reservoir Land Management Plan - ETCDC Letter of Support"]

TVA Staff,

Please see the attached Letter of Support from the East Tennessee Community Design Center (ETCDC) for the Proposed Revision to the Tellico Reservoir Land Management Plan. Contact me with any questions.

Thanks,



EAST TENNESSEE COMMUNITY  
DESIGN CENTER

March 25, 2021

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\*In memoriam

RE: ETCDC Letter of Support for the Proposed Revision to the Tellico Reservoir  
Land Management Plan

The East Tennessee Community Design Center (ETCDC) facilitated a major, public Regional Input Session at The Venue in Lenoir City, Tennessee on August 24, 2017. The purpose of the meeting was to solicit ideas and comments "concerning the potential commercial and public recreation developments on TVA public lands surrounding the new Highway 321 Bridge Corridor". TVA anticipated between 50-100 individuals would respond in person or online. We had 356 people participate in person that night, 597 Loudon County junior and senior high school students participated in class, and 1,172 different individuals responded online. This overwhelming response demonstrated the local demand and interest in more recreation on our TVA lands and lakes.

ETCDC has been assisting communities in making educated planning decisions for future developments for over 50 years. In all that time, we have never witnessed a larger turnout for a public input session. 2,125 individuals participated in the process. The turnout clearly spoke volumes about community desires for recreation. Based on the volume of public input, ETCDC fully supports TVA's proposed changes for additional recreational opportunities.

For 50+ years, the ETCDC has maintained a mission to Envision, Inspire, and Improve East Tennessee Through Design. The goal of the ETCDC is to provide no/low-cost design and technical assistance to nonprofit groups, organizations, and government bodies to benefit the whole community. We believe that communities well-being and health improve through the benefits of quality design solutions to the built environment.

Sincerely,

Leslie Fawaz, AIA  
Studio Design Director  
East Tennessee Community Design Center





Christy Fitzgerald  
Lenoir City, TN  
March 25, 2021

[Email subject heading: "TVA Land Usage Public Input"] To Whom it May Concern:

I would like to express my support for the proposed land use changes to improve the recreation possibilities along the reservoir, in particular the 100 acre parcel parallel to Hwy 321. I support this being changed to be developed for recreation and your proposed land uses. Regards,

Bryan S. Hall, TCEcD  
Executive Director  
Tellico Reservoir Development Agency  
March 25, 2021

Please see TRDA - Tellico River Development Agency support letter on proposed revisions to the Tellico Reservoir Land Management Plan.

We truly appreciate all you do for our agency. As a team we both continue to make the Tellico Reservoir even better.

Have a great day.



*Tellico Reservoir*  
DEVELOPMENT AGENCY

March 25, 2021

Ref: Support Proposed Revisions to the Tellico Reservoir Land Management Plan

Dear TVA -Tellico Reservoir Land Management Plan Team

The Tellico Reservoir Development Agency has enjoyed a great relationship, beginning in 1982, working with TVA to help create the unique, mixed use development on the shores of Tellico Lake. It is most gratify to see that due to long range planning a successful balance has been reached with quality industrial, commercial, residential, and recreation development while being conscious of the natural beauty of the area. **The Agency is most appreciative to see that long range planning continue with the update to the Tellico Reservoir Land Management Plan and we are supportive of the proposed revisions for the land use.**

As you know, in conjunction with earlier discussions with TVA staff, on August 14, 2019, TRDA submitted a request to TVA for a land use allocation change on about 100 acres of property to Developed Recreation. We are pleased that this parcel is included in the proposed revisions. The purpose our requested allocation change is to insure enough recreation land is available for present and anticipated public demand, needs, and uses for recreation are strong quality of life features that make it possible to continue to attract and to retain quality industry and jobs for our rural communities. This tract is near a major transportation artery and already has needed infrastructure in water, electricity, and sewer that is adjacent to the property.

Thanks for your consideration.

Sincerely,

*Bryan S Hall*

Bryan S. Hall  
Executive Director  
Tellico Reservoir Development Agency  
423-884-6868  
[b.hall@trds.us](mailto:b.hall@trds.us)

165 Deer Crossing, Vonore, TN 37885 | 865-673-8599 | [tellico.com](http://tellico.com)

Rachel Harrell  
Visit Loudon County  
March 25, 2021

Visit Loudon County is very much looking forward to the opportunities that this proposal could provide. Thank you for your commitment to preservation of our lands and rivers and the tourism assets that this development could provide.



March 25, 2021

**Scoping Comments - Revised Tellico Reservoir Plan**

The Loudon County Visitors Bureau (LCVB) has been a part of the Loudon County community for over 30 years. We have seen tremendous growth in our tourism venues over the years. Our marketing identity has been stated simply as "Lakeway to the Smokies," which captures two worldwide recognized "brands" — the Smoky Mountains and the TVA Lakes. These natural attractions plus our increase in private tourism businesses are major reasons we continue to grow. This leads to the fact that LCVB fully supports the proposed revisions in the Tellico Reservoir Land Management Plan. The recognition by TVA staff for the need to increase land available for developed recreation is definitely positive planning for the future. In fact, we could make use of more facilities right now! LCVB is particular excited about the proposed use change of approximately 100 acres nearest to Highway 321.

LCVB also serves as a partner in the statewide, Retire Tennessee program. Our efforts have helped grow the retirement communities of Tellico Village, Rarity Bay, WindRiver, and Tennessee National. Those communities have one thing in common; they are all located on TVA lakes. These homeowners get to enjoy daily access to the water. New access for developed recreation would allow the public better opportunities to enjoy Tellico Lake. TVA helped private citizens to create the 30-mile East Lakeshore Trail for use by both our area citizens and tourists. These existing and planned recreation features help us improve the quality of life for future generations.

The biggest trend in tourism in the United States today is the desire to have improved facilities to enjoy the great outdoors. We live in an area that is positioned to meet that trend.

Thank you for your consideration!

Sincerely,

A handwritten signature in dark ink that reads "Rachel Harrell". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Rachel Harrell  
Director of Tourism

1075 Highway 321 North | Lenoir City, Tennessee 37771 | 865.986.6822 | [www.visitloudoncounty.com](http://www.visitloudoncounty.com)

Melissa Browder  
Loudon, TN  
March 25, 2021

We are very supportive of this revision for the project. Thank you for working on this.

John Evans, President  
Lenoir City Committee of 100  
March 26, 2021

[Email subject heading: "Rezoning request"]

March 23, 2021

TVA Land Plans,

As President of the Lenoir City Committee of 100 (LCC100), I wanted to make some comments about the Tellico Reservoir Land Management Plan and its proposed revision. LCC100 was established in 1964 as a group of leaders from Lenoir City and Loudon County to assist in the growth of our community and to support actions that would improve the quality of life for our citizens. Our membership now has about 155 active members.

As background, the Committee of 100 initiated, funded, and participated in a major public Regional Input Session at the Venue on August 24, 2017. The purpose of the meeting was to solicit ideas and comments "concerning the potential commercial and public recreation developments on TVA public lands surrounding the new Highway 321 Bridge Corridor". TVA anticipated between 50-100 individuals would respond in person or online. We had 356 people participate that night, 507 Loudon County junior and senior high school students participate in class, and 1,172 different individuals respond online. This overwhelming response demonstrated the local demand and interest in more recreation on our TVA lands and lakes.

We have enjoyed a long history working with TVA in the past and look forward to being a supportive partner. LCC100 supports the proposed revisions to this land management plan that TVA has assembled. We are especially interested in the proposed land use changes for new developed recreation zone for approximately 100 acres nearest Highway 321. That area is in the Urban Growth Boundary for Lenoir City.

If there is anything else we can do to support these efforts, please let me know.

Sincerely,

Rodney Grugin  
Loudon County Chamber of Commerce  
March 26, 2021

The Loudon County Chamber of Commerce fully supports the revisions to the Tellico RLMO as proposed. These revisions will greatly benefit the citizens and businesses of Loudon

County by allowing controlled development consistent with the wants and needs of the county.

Ashley Fletcher  
March 26, 2021

To Whom it May Concern,

I am 100% in favor of the proposed land use changes for the 45 acre parcel for a multitude of reasons.

Some of the reasons why Tennessee and particularly Loudon County is one of top 10 states and counties for growth are:

The wonderful lakes.

The proximity to The Great Smoky mountains.

The incredibly low cost of living.

The state surplus of funds.

The absence of a state income tax.

The recent elimination of the interest and dividends tax.

The myriad of recreational opportunities including boating, fishing, hiking, and white water rafting.

The proposed land use changes will serve to greatly enhance the current wonderful abundance of these recreational activities.

As a rising tide lifts all boats, these proposed changes will have a very positive impact on both residential and commercial property values in Loudon County.

Respectfully submitted

Darrell Cuthbertson  
March 26, 2021

Are properties qualifying for easement purchase across county and state roads now being considered by TVA? I know several were denied in the past with denial upheld by the Board, Old Niles Ferry at Vonore and Highway 129 at Tallassee for example.

Thomas McCrystal  
Vonore, TN  
March 26, 2021

See attached file.

**Comments to the Proposed Revision to the Tellico Reservoir Land Management Plan**

Date: March 23, 2021

From: On behalf of other affected Lot Owners (as defined further below):

Thomas W. McCrystal  
Vonore, TN

Kathleen J. Robison  
Vonore, TN

Comment: Reallocate Parcel 99 (136 in Proposed RLMP) ("Parcel 99") from Zone 3 (Sensitive Resource Management) to Zone 7 (Residential Access).

1. Summary: Parcel 99 is currently in Zone 3 (Sensitive Resource Management). This designation was not changed in the Proposed RLMP. Parcel 99 is comprised of 2 fragmented segments each located at the tip of separate peninsulas in the Kahite Subdivision of Tellico Village. Kahite is located near Vonore, TN and is in Monroe County. The description of Parcel 99 as contained in the Tellico Reservoir Land Management Plan dated June 2000 ("2000 RLMP") is attached as Exhibit A-1. The balance of the Kahite subdivision shoreline is Parcel 98 (135 in Proposed RLMP) ("Parcel 98") and is designated as Zone 7 (Shoreline Access).

The description of Parcel 99 indicates that its sole purpose was to serve "*as a visual buffer between Tellico Village's Kahite (sic) Subdivision and Fort Loudoun State Historical Area and the Sequoyah Museum.*" Historically there has never been any significant "visual buffer" on Parcel 99.

Since the inception of Kahite, the owners of lots abutting Parcel 99 ("Lot Owners") have continuously mowed and otherwise maintained the open areas of Parcel 99 adjacent to their lots. Seven years ago the TVA started the process to formally approve of this activity by means of a license agreement. Due to TVA delays, no license agreement has been entered into. However, during this period the TVA has allowed the Lot Owners to continue their activities on Parcel 99 "*status quo*". As part of the licensee agreement process, the Eastern Band of Cherokee Indians ("EBCI") has approved the proposed uses by the lot owners under the license agreement.

As will be explained further below, the following are the main reasons the Lot Owners believe that Parcel 99 should be re-allocated to Zone 7:

- a "visual buffer" on Parcel 99 has never existed;
- Parcel 99 does not otherwise fit the requirements of Zone 3;
- the resident's historical maintenance (i.e. mowing, etc.) is currently sectioned by the TVA;
- the EBCI's apparent indifference to the existence of a "visual buffer"; and
- the burdens imposed on the Lot Owners if a license agreement is implemented.

## 2. Background

- a) Parcel 99. The separate segments of Parcel 99 border Kahite residential lots on Golanvvi Trail and Hiwonihi Trail (the "Golanvvi Segment" and the "Hiwonihi Segment".) The Golanvvi Segment abuts 8 Kahite residential properties and one parcel which public records indicate is owned by the TRDA. The Hiwonihi Segment abuts 7 residential properties and one parcel which public records indicate is owned by the TRDA. There is one residential lot on each segment that abuts both Parcel 99 and Parcel 98. The description of Parcel 99 states that all of the TVA's Parcel 99 is 3.0 acres. Including the TRDA Portion described below, the Golanvvi Segment and the Hiwonihi Segment each contains slightly greater than 4 acres (an approximation using Google Maps).
- b) TRDA. The description of Parcel 99 contains a reference that the "*parcel fronts land (XTELR-21 and -22) that was conveyed to TRDA for this same purpose and is now*

*part of Kahiti (sic) Subdivision*". Presumably, this conveyance occurred under Contract No. TV-60000A between the Tellico Reservoir Development Agency ("TRDA") and the TVA dated August 25, 1982. Although not clear, it is assumed that the portion conveyed to the TRDA runs between the 820 msl contour and the property lines of the Lot Owners (the "TRDA Portion"). Since the TRDA apparently holds its interest in the TRDA Portion for the "*same purpose*" as Parcel 99, this request will generally treat references to Parcel 99 as including the TRDA Portion. The TRDA Portion is further discussed below.

- c) Parcel 99 before and after the development of Kahite. Historical satellite images of Kahite and the surrounding area are available on the internet with Google Earth Pro. Attached are the earliest pertinent image is dated February, 1997 (Exhibit B) and the next image dated January, 2007 (Exhibit C). There are 6 subsequent images, the most recent one dated October, 2015 is also attached (Exhibit D).

The 1997 image reflects that some roads in Kahite were under construction, but before any houses were built. In general, the images document that major portions of Parcel 99 have never had any trees or other cover to create a visual barrier. It is believed that much of this portion of Kahite was cleared off for farming before the Tellico Reservoir was created.

The 1997 image shows that the Golanvyi Segment had a wooded area of approximately 2 acres just south of the point of the Golanvyi peninsula. A thin line of trees and brush runs from the woods along the shoreline south the end of this segment. There is another row of trees and brush from the woods running along the northern edge of the Golanvyi Segment. However, this northern edge has no sightlines to the Museum property. The remainder of the Golanvyi Segment without trees appears to have no significant ground cover growth.

The 1997 image shows that the Hiwonihi Segment had nearly no tree cover. What existed was less than a tenth of an acre area abutting the only Zone 3/Zone 7 bifurcated property in this segment. The open areas of the Hiwonihi Segment had no significant ground cover growth.

The time progression of the seven Google Earth satellite images thru 2015 shows no significant change in the tree or ground cover on either segment of Parcel 99. As Kahite residential lots were purchased or houses were built, the owners generally preserved these conditions by mowing and otherwise maintaining the abutting portion of Parcel 99 as it had historically existed.

- d) The Sequoyah Museum and Parcel 93 before and after the development of Kahite. The Fort Loudoun Historical Area and Sequoyah Museum are referred to in the description of Parcel 99 as the areas to be protected by the "visual buffer". These areas are located on Parcel 93 (Zone 6 Recreational). Parcel 93 remains unchanged in the Proposed RLMP. This parcel consists of a large island (the "Big Island") and a smaller island (the "Small Island").

The Big Island contains the Fort Loudoun State Historical Area and the Sequoyah Museum. The Museum is located on the western side of the island in the area generally south of Highway 360. This is the only portion of the Big Island which has any sightlines toward Kahite. No portion of the Fort Loudoun area has visibility to Kahite.

The Small Island is located between Kahite and the western side of the Big Island. This island is heavily wooded. It is uninhabited but for the home of an annual heron rookery and a man-made blind on its southern tip.

The Google Earth February, 1997, satellite image (Exhibit B) of Parcel 93 shows significant areas of trees which impede a clear view of Parcel 99. A long row of trees runs roughly parallel to the shoreline between the Museum and the shoreline. There is also an approximately 3 acre grove of trees attached to the southern half of this tree line.

The subsequent satellite images, beginning with the January, 2007 (Exhibit C), indicate no significant change to the existing trees mention above. However, these images show more clearly that there is a tree line meandering along the entire shoreline between the ends of Highway 360. This tree line is broken in only a couple of small areas, the largest of which is where the Museum boat dock is located (an area with no sightlines to Parcel 99).

As a result of the numerous trees on Parcel 93, the Museum property has only sparse visibility of the Parcel 99 shoreline. It is clearly visible only from the water's edge. In effect, Parcel 93 has its own "visual buffer" hindering its view of Kahite.

In addition, the Parcel 99 description states that bank stabilization (e.g. riprap, etc.) can be considered. Riprap anywhere on Parcel 99 would clearly no qualify as a "visual buffer".

- e) TVA Involvement with Parcel 99. Historically the TVA had little contact with the Lot Owners abutting Parcel 99. This all dramatically changed sometime in 2014 when the TVA sent a letter to all of the then Lot Owners. In essence the letter told the owners to cease all activities on Parcel 99. Discussions ensued with the TVA primarily centered on how the Lot Owners could continue to maintain the land as they had in the past (i.e. mow, etc.). However, in early 2015, the TVA informed the Lot Owners that the TVA was going to plant hundreds of trees over both peninsulas of Parcel 99. This was apparently in an effort to belatedly fulfill the absurd goal of a *"visual buffer between Tellico Village's Kahiti (sic) Subdivision and Fort Loudoun State Historical Area and the Sequoyah Museum"*. The Lot Owners protested this decision vigorously.

Ultimately, the TVA backed away from this plan. In a meeting on August 4, 2015 with the Lot Owners, the TVA offered to allow the Lot Owners to continue to maintain Parcel 99 *"status quo"* (i.e. as they had in the past) pursuant to a license agreement. It was explained that the license agreement would be the easiest and quickest path to resolve the dispute.

The TVA said that other paths (e.g. such as a zone re-assignment, etc.) would take too much time and have an uncertain outcome, but could be explored in the future.

At that meeting, the Lot Owners were presented with a draft of a TVA generic form of a license agreement. After some emails were exchanged, spokespersons for the Lot Owners had a meeting with the TVA to discuss various global issues with the license. Further discussions ensued and on December 5, 2017, the TVA delivered a revised License Agreement which addressed their position on the global issues. The Lot



Owners submitted detailed comments and their suggested language changes on March 31, 2018. Nearly three years later on February 25, 2021, the TVA delivered its revised draft to the License Agreement. The new TVA draft was sent out without any discussion or explanation. The TVA draft rejected virtually all of our significant concerns and contained a new item imposing a \$1,500 annual license fee. The TVA had repeatedly told the Lot Owners that there would be no license fee and no prior draft contained a license fee.

Early on in the license agreement process the Lot Owners realized that the TVA did not want to enter into 15 separate license agreements. It was requiring one license agreement to be executed by all Lot Owners. Ultimately it was decided that the Lot Owners should form a property owners association ("POA") to serve as the licensee under the license agreement. However, the Lot Owners do not want to incur the cost of engaging attorneys until the terms of the license agreement are fully agreed upon. Thus, due substantially to the delays by the TVA, no work has begun on the POA formation and recordable deed restrictions.

Nevertheless, at all times since this dispute began, the Lot Owners have continued to maintain Parcel 99 "status quo".

## 2. Reasons to Reclassify Parcel 99 as Zone 7 Residential

- a) No Visual Buffer has ever existed. The Parcel 99 description (Exhibit A-1) indicates that the sole reason to have Parcel 99 separated from Parcel 98 was to create a *"visual buffer between Tellico Village's Kahiti (sic) Subdivision and Fort Loudoun State Historical Area and the Sequoyah Museum"*. However, as explained above no such meaningful visual buffer has ever existed. The only such buffer that has existed is on Parcel 93 itself. Additionally, many Parcel 98 (Zone 7) properties and docks have no such visual buffer and are plainly visible from the shoreline of Parcel 93.
- b) Indifference by the Eastern Band of Cherokee Indians. The Lot Owners are unaware of any request by the EBCI to create a visual buffer on Parcel 99. In addition, the TVA has informed the Lot Owners that the necessary pre-license approval from the Eastern Band of Cherokee Indians has been received. This approval also included the EBCI's consent to the installation of riprap which is incongruent with a "visual buffer". Thus, the EBCI appears to be completely indifferent to the existence of a "visual buffer".
- c) Parcel 99 does not fit the description of Zone 3. None of the numerous requirements for Zone 3 designation (see Exhibit A-2 attached) do not apply to Parcel 99.
- d) Riprap. The Parcel 99 description states that bank stabilization (e.g. riprap, etc.) can be considered. However, despite this reference to riprap, the TVA has never approved a request to install riprap. Meanwhile, riprap exists on most Zone 7 Kahite lots, many of which are visible from the shoreline of Parcel 93.
- e) The TVA's License Agreement proposal imposes unnecessary burdens on the Lot Owners. Due to the TVA delays, the License Agreement process has been going on for 7 years, despite the parties being in conceptual agreement that the Lot Owners can continue to maintain the open areas of Parcel 99. In addition, the license agreement will cause the Lot Owners to incur upfront costs to form a POA and other necessary legal documents, and, thereafter, annual license fees, insurance costs and other potential costs under the license agreement. The Lot Owners recognize that a changing from Zone 3 to Zone 7 will impose the same requirements which are imposed on all Zone 7 properties. However, those requirements do not have the same additional costs and burdens which a license agreement imposes.

- f) TRDA. As further example that no one actually contemplated a visual buffer, the TRDA has never taken any action to create a visual buffer on the TRDA Portion.

### 3. Treatment of the TRDA Portion Related to Parcel 99

- a) Presumably the TRDA Portion was created to facilitate the existence of a “visual buffer”. Since it is clear that no significant visual buffer has ever existed, the need for the TRDA interest in such a small portion of land fragmented from other TRDA land should be examined. Below are some possible solutions.
- i. The TRDA maintains its interest in the land such that the Lot Owners have Zone 7 rights to use and maintain the land, or
  - ii. Ownership of the TRDA Portion is purchased by the Lot Owners at a fair price.

#### (iii) EXHIBIT A-1

Current Description of Parcel 99. The full description of Parcel 99 contained in the 2000 RLMP is as follows:

Parcel 99 (3.0 acres [1.2 hectares]) HUC No. TN-06010204-120

Zone 3, Sensitive Resource Management

- Kahite Subdivision
- Navigation Dayboards

This split parcel meanders the 820-foot contour and serves as a visual buffer between Tellico Village's Kahiti (*sic*) Subdivision and Fort Loudoun State Historical Area and the Sequoyah Museum. The parcel fronts land (XTELR-21 and -22) that was conveyed to TRDA for this same purpose and is now part of Kahiti (*sic*) Subdivision. Parcel 99, has a variety of tree cover and will be maintained in its natural state. Private water use facilities can not be considered for approval on this parcel. However, bank stabilization through the use of riprap or bioengineering techniques may be considered.

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#### EXHIBIT A-2

Current Description of Zone 3. The current description of Zone 3 revised after the 2000 RLMP is as follows:

Zone 3: Sensitive Resource Management

This land is managed for protection and enhancement of sensitive resources. Sensitive resources, as defined by TVA, include resources protected by state or federal law or executive order and other land features/natural resources TVA considers important to the area viewscape or natural environment. Recreational natural resource activities, such as hunting, wildlife observation and camping on undeveloped sites may occur in this zone, but the overriding focus is protecting and enhancing the sensitive resource the site supports. Areas included are:

- TVA-designated sites with potentially significant archaeological resources
- TVA public land with sites/structures listed on or eligible for listing on the National Register of Historic Places
- Wetlands: aquatic bed, emergent, forested and scrub-shrub wetlands as defined by TVA.
- TVA public land under easement, lease or license to other agencies/individuals for resource protection purposes
- TVA public land fronting land owned by other agencies/individuals for resource protection purposes
- Habitat Protection Areas: these TVA Natural Areas are managed to protect populations of species identified as threatened or endangered by the USFWS, state-listed species and any unusual or exemplary biological communities/geological features
- Ecological Study Areas: these TVA Natural Areas are designated as suitable for ecological research and environmental education by a recognized authority or agency
- Small Wild Areas: these TVA Natural Areas are managed by TVA alone or in cooperation with other public agencies or private conservation organizations to protect exceptional natural, scenic or aesthetic qualities that can also support dispersed, low-impact types of outdoor recreation
- River corridor with sensitive resources: a river corridor is a linear green space along both stream banks of selected tributaries entering a reservoir managed for light boat access at specific sites, riverside trails, and interpretive activities
- Significant scenic areas: these are areas designated for visual protection because of their unique vistas or particularly scenic qualities
- Champion tree site: areas designated by TVA as sites that contain the largest known individual tree of its species in that state; the state forestry agency Champion Tree Program designates the tree, while TVA designates the area of the sites for those located on TVA public land
- Other sensitive ecological areas: examples of these areas include heron rookeries, uncommon plant and animal communities and unique cave or karst formations

**EXHIBIT B**

**February, 1997 Google Earth image**





**EXHIBIT C**

**January, 2007 Google Earth image**



**January, 2007**

Write a description for your map.

**EXHIBIT D**

**October, 2015 Google Earth image**





John Cook  
Cook Bros. Homes & Heritage Land Development Partners  
March 27, 2021

While I have not reviewed the entire scope of what is being proposed, the areas nearest where we live in Lenoir City that will be affected we support what is being proposed. Lenoir City and Loudon County residents in general will benefit from the additional ways for the public to enjoy the beauty of our community and the lake.

Mark Pantley  
Kenneth S. Litke  
Tellico Village HOA  
March 28, 2021

Please see attached file #1 for response from Tellico Village Homeowners Association.

thanks,

Mark Pantley  
VP of Advocacy  
Tellico Village HOA

Dear TVA Land Planning Team:

As President of the HomeOwners Association of Tellico Village I am writing to provide comments on the proposed changes to the Tellico Reservoir Land Management Plan.

Tellico Village is primarily a retirement community for active adults and comprises over 8,500 residents living in a 5,000-acre community along Tellico Lake. Established in 1986 as a result of TVA initiatives to economically develop this area it has become one of the premier senior planned retirement communities in the southeast. Tellico Lake is an important resource for recreational sports not only for residents, but also visitors to the area as well.

As a result of our review of the proposed Tellico RLMP, we would like to offer the following comments:

1. We are supportive of the proposed allocation change in Parcel 3 from Zone 4 (Natural Resource Conservation) to Zone 6 (Developed Recreation) to reallocate the property to allow for commercial recreation development (as proposed by the Lenoir City Committee of 100). Our support comes with the expectation that there will be a separate process for public review and approval of its final use in the future.
2. We are concerned about the safety and well-being of people who use the facilities that TVA develops in the Tellico Reservoir area. An example is the parking lot for the Halls Bend Trailhead, which lacks sufficient parking spaces and site security. Another example is the parking lots for the East Lakeshore Trail, which lack appropriate security resulting in users experiencing periodic vehicle break-ins.
3. Hwy 321 is the primary gateway for Tellico Village and other residents of this area (Wind River, etc.) to receive emergency medical services. As development around the north end of the lake continues, we are requesting that TVA take into

consideration the impact that increased traffic has on the provision of life-saving medical services for residents and visitors.

4. We are requesting that TVA include in the Tellico RLMP a plan to control erosion around the lakeshore. This should apply to all zones, but particularly to Zone 3 (Sensitive Resource Management) and 4 (Natural Resource Conservation).

Our lakeside community is extremely concerned about providing appropriate recreational opportunities while maintaining and improving the environmental quality of Tellico Reservoir. Therefore, we urge TVA to take into consideration as part of their land planning process the necessary steps necessary to ensure this continues to happen. The natural beauty of Tellico Lake is a primary reason why we relocated here and why so many generations of native Tennesseans have chosen to stay. Thank you for your consideration.

Best regards,  
Kenneth S. Litke  
President - HomeOwners Association of Tellico Village

Jarrold M. Brackett  
Fort Loudoun Electric Cooperative  
March 28, 2021

Fort Loudoun Electric Cooperative (FLEC) has partnered with TVA over many areas over the years. In the area of lands management around the Tellico Reservoir, the Cooperative hopes TVA will work with TRDA and the mutual use of the 60000A agreement terms to continue to help the public and private uses to be expanded as our communities work with TVA on the current management plan. Attached are several parcels, files in Excel format, that the Cooperative feels should have their designation changed in order to improve the economic and community development of the three counties that the Reservoir intertwines and portions of which this Cooperative serves. Monroe, Loudon, and Blount County leadership has asked us to help them find ways to expand access for docks, if possible, and create growth and economic development around the lakes. Please help us do this through parcel re-designations or sub-parceling, if a best fit to keep the natural resources in check and still allow accessibility to the private parcels associated. All of the portions of Blount, Loudon, and Monroe Counties that we serve would greatly see improvement in tax revenue, if this one area of concern was addressed. Thank you for your consideration.

Respectfully,  
Jarrod M. Brackett  
General Manager/CEO

Not sure the file got attached for the previous comments made.

See attachment.

Through the 60000A, TRDA/TVA Agreement, and future amendments of this Agreement, it is recommended that the following lands should be have their "Designation" changed to better promote economic growth!

**Lands to Consider for Possible REDESIGNATION to Recreation (Camping/RV/Cabin Development) Identified**

Parcel	Acres	Current Designation	Limitations TVA has Identified
1	614.2	TVA Project Operations	TVA's needs/public access needs
3	169.9	Natural Resource Conservation	Heavy Traffic area/Rock Bluff
4	95.1	Sensitive Resource Mgmt	Small wetland/wildlife usage
18	8.6	Natural Resource Conservation	No sensitive resources
26	122.4	Sensitive Resource Mgmt	Navigation Dayboard
74	387.5	Natural Resource Conservation	Sensitive Resources identified
85	70.2	Natural Resource Conservation	TWRA WMA agreement
87	78.6	Natural Resource Conservation	Sensitive Resources identified
97	79.1	Natural Resource Conservation	Wildlife/historical significance
103	100.6	Natural Resource Conservation	Wildlife/Forest Management

**Total Acres                    1,726.20**

**Lands to Consider for Possible REDESIGNATION to Residential Areas (w/ Residential Access)**

Parcel	Acres	Current Designation	Limitations TVA has Identified
6	41.9	Natural Resource Conservation	Buffer to Sensitive Resource Area
8	45.4	Recreation	Greenway/Proximity to WindRiver
9	339.8	Natural Resource Conservation	Nav. Safety Landing/Daybeacon
10	84.2	Recreation	Greenway/Proximity to TVPOA
11	502.1	Natural Resource Conservation	Greenway/Proximity to TVPOA
21	13	Sensitive Resource Mgmt	Wetlands at water
22	49.4	Natural Resource Conservation	Visual Integrity for Private lands
23	140.1	Natural Resource Conservation	Near Lotterdale Cove
74	387.5	Natural Resource Conservation	Wildlife Mgmt/sensitive resources
106	55.1	Natural Resource Conservation	Wildlife Mgmt/sensitive resources
108	193.7	Natural Resource Conservation	Wildlife Mgmt/sensitive resources
110	274.2	Natural Resource Conservation	No Sensitive Resources identified
118	166.4	Natural Resource Conservation	Wildlife Mgmt/sensitive resources
119	48.6	Natural Resource Conservation	Wildlife Mgmt/sensitive resources
121	21.3	Natural Resource Conservation	Protection of Visual Resources
123	275.1	Natural Resource Conservation	Sensitive Resources Identified
132	256.3	Natural Resource Conservation	Protection of Riverine Characteristics

**Total Acres                    2,894.10**

We have spoken with TRDA management on this proposal and they have identified the following areas of inte

Current Parcels with TRDA designation or of future TRDA Interest; FLEC promotes further development in thes



Parcel	Acres	Current Designation	Limitations TVA has Identified
2	3.1	Residential	Backlying 220 acres of TRDA land
13	221.1	Residential Access	Daybeacons/Backlying TRDA lands
18	8.6	Natural Resource Conservation	No Restrictions identified
19	44	Recreation	Lotterdale Cove
25	82	Recreation	Lotterdale Cove
27	15.3	Residential Access	Griffit's Keep/Backlying TRDA lands
30	9.1	Residential Access	Foothill's Point/Backlying TRDA lands
32	4.9	Residential Access	Baker's Creek Area
41	9.2	Residential Access	Backlying TRDA lands
44	100.4	Industrial/Commercial Dev.	Navigation/TWRA Agreements/Rarity Bay
46	43.1	Residential Access	Rarity Bay Subdivision
47	27.8	Natural Resource Conservation	Rarity Bay Subdivision
49	14	Recreation	Kudzu/Slope/Potential Marina Site
52	129.8	Industrial/Commercial Dev.	Tellico West
53	11.7	Residential Access	Downtown Vonore subdivision
57	16.2	Industrial/Commercial Dev.	Barge Access
78	108.2	Recreation	Smokey Branch Recreation Area
88	21.1	Recreation	Toqua Campground
89	45.2	Recreation	Toqua Recreation Area
94	37.5	Recreation	E. Band of Cherokee Resort??/Marina
98	27.8	Residential	Kahite
112	45.6	Recreation	Future recreation site
113	10.1	Recreation	Notchey Creek Recreation Area
114	31.9	Recreation	Notchey Creek Campground
122	6.8	Recreation	Ball Play Recreation Area
130	12.2	Recreation	Proposed Public Recreation site
136	1.5	Recreation	Sloan Bridge Recreation launch site

**Total Acres                    1,088.20**

**FLEC advocates that TVA work to allow these parcels, or portions of these parcels, to be redesignated as outlined above. TVA and TRDA are able to work to promote appropriate planning for redesignation and action through TRDA. TRDA's makeup and governance puts this organization in a perfect position to assist TVA in making sure NEPA and other regulatory guidelines are met as well as making sure use of these public land resources are utilized best to benefit the counties served at the local level.**

**Respectfully submitted,**

**Jarrod M. Brackett  
General Manager/CEO**

**Submitted on behalf of the Fort Loudoun Electric Cooperative (FLEC) Board of Directors**

