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Project Number: 2003-102

ENVIRONMENTAL ASSESSMENT

SEQUOYAH LODGE AND LAKE RESORT TELLICO RESERVOIR Monroe County, Tennessee

TENNESSEE VALLEY AUTHORITY
(Lead Agency)
U.S. ARMY CORPS OF ENGINEERS
(Cooperating Agency)

JUNE 2004

ENVIRONMENTAL ASSESSMENT

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TENNESSEE VALLEY AUTHORITY

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The Proposed Decision and Need

On April 14, 2003, the Eastern Band of Cherokee Indians (EBCI) submitted to the Tennessee Valley Authority (TVA) an application for the proposed conveyance of approximately 40 acres of TVA public land on Tellico Reservoir for the use of a commercial recreation complex. EBCI also submitted an associated request for approval from TVA under Section 26a of the TVA Act and from the United States Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbor Act to construct water use facilities and install riprap for shoreline stabilization.

The EBCI development as proposed in April 2003, included the construction of a 160-room lodge, a 140-room hotel, 108 quad units, 46 shore cabins, 137 recreational-vehicle (RV) camp lots with a boat launching ramp, 40,000 square feet of retail and restaurant space, kayak, canoe, and swimming center with fixed docks, and 785 parking spaces. In addition, EBCI proposed construction of a harbor area with a 100 double-slip marina, and stabilization of 5,200 linear feet of eroding shoreline. The project would be developed in phases from 2004 to 2008. Subsequently, in June 2004, EBCI modified their proposal to reduce the shoreline stabilization to 2,500 linear feet, the boat launching ramp to 20 feet in width, and the fill at the sand beach to under 10 cubic yards. All of these modifications are shown in Attachment B.

The properties included in the request are TVA Parcel 94 (37.5 acres) and a portion of TVA Parcel 95 as designated in the *Tellico Reservoir Final Environmental Impact Statement and Land Management Plan* (TVA, 2000). EBCI is also proposing to construct a new fishing pier and parking area on a portion of Parcel 95 to replace the Tellico Reservoir Development Agency's (TRDA) existing public fishing pier and existing boat ramp on Parcel 94. Parcel 94 contains an existing easement for a 13.5-acre tract of land (XTTELR-17RE) that is conveyed to TRDA for public recreation purposes. The existing easement to TRDA would be superseded by this proposed EBCI development on Parcel 94. TRDA would request a new easement for facilities on Parcel 95.

Operation of the Sequoyah Lodge and Lake Resort is intended to generate revenue to support the continued operation and public education programs of the Sequoyah Birthplace Museum located on State Route 360 across from Fort Loudoun State Historic Area, a unit of the state park system. The proposed resort is projected to create about 100 near-term and 500 long-term jobs. Other public benefits include improved fishing opportunities with the construction of a new public fishing pier and parking, economic development (jobs and revenue), and tourism. Economic benefits beyond the museum include increased area tourism, job availability, and additional recreation opportunities.

TVA and the USACE have prepared this Environmental Assessment (EA) to understand more fully the potential impacts of the proposed land use request and Section 26a/Department of the Army permit application.

Background

In 1990, the EBCI requested that the approximately 40-acre tract of TVA public land on Tellico Reservoir be made available to them for development of a resort complex to help support the Sequoyah Birthplace Museum. EBCI subsequently studied the feasibility of the proposal and began a search for a capable developer.

EBCI identified a private developer, Overhill Development Company, LLC, of Florida for the site and would convey the 40-acre tract for a long-term (40-year) lease if TVA were to grant an easement to EBCI. The TRDA has concurred with the project concept and is supporting the project. A master plan has been agreed upon, and a cooperating agreement for developing, operating, and managing the project (including fees and charges) has been executed. The Bureau of Indian Affairs, U.S. Department of the Interior, has approved the proposal.

Other Pertinent Environmental Reviews or Documentation

TVA prepared the *Tellico Reservoir Final Environmental Impact Statement and Land Management Plan* (Plan) for the 12,643 acres (360.8 shoreline miles) of TVA land above the summer operating range (812-813 elevation) on Tellico Reservoir. The Plan identified potential uses for 139 parcels of TVA public land on Tellico Reservoir, and this EA tiers from the Plan. TVA Parcels 94 and 95 are currently allocated for recreation purposes in the Plan, and the EBCI proposal would be compatible with this allocation.

TVA published a Public Notice concerning the proposed action in the following newspapers: *Monroe County Democrat*, *Loudon News Herald*, and *The Daily Times* on May 21-22, 2003. The comment period was from May 21-June 23, 2003. TVA also held a public meeting on December 18, 2003, with approximately 30 attendees. TVA received no significant opposition to the EBCI proposal.

TVA initiated an interagency review on May 21, 2004, for review of the proposed EBCI development. In a June 8, 2004 letter, the Tennessee State Historic Preservation Officer (TSHPO) stated that the project could have an affect on historic properties eligible for listing in the National Register of Historic Places (NRHP). TSHPO concurred in a June 28, 2004 letter that the project would have "no adverse effect" on the historic farmstead to the west of the project area. No other substantial comments were received.

Permits

In addition to land use approval from TVA, approval under Section 26a of the TVA Act is required for all water use facilities and shoreline riprap.

A permit from USACE under Section 404 of the CWA and Section 10 of the Rivers and Harbor Act would be required. Before making a permit decision, USACE would conduct a public interest review process. USACE would carefully evaluate and balance the public benefits and detriments of all relevant factors in the application. Relevant factors may include conservation, economics, aesthetics, wetlands, cultural values, navigation, fish and wildlife values, water supply, water quality, and any other factors judged important to the needs and welfare of the people. In evaluating all applications, USACE considers the following general criteria: (a) the relevant extent of public and private needs; (b) where unresolved conflicts of resource use exist, the practicability of using reasonable alternative

locations and methods to accomplish project purposes; and (c) the extent and permanence of the beneficial and/or detrimental effects the proposed project may have on public and private uses to which the area is suited. Additionally, since the project would involve the discharge of dredged or fill material, USACE would conduct a compliance determination with the Section 404(b)(1) guidelines of the CWA. The guidelines restrict discharges into aquatic areas where less environmentally damaging, practicable alternatives exist. USACE would not grant a permit if the proposal were found to be contrary to the public interest.

An Aquatic Resources Alteration Permit (ARAP) will be required from the Tennessee Department of Environment and Conservation (TDEC). A storm water management permit, in accordance with National Pollutant Discharge Elimination System requirements, may also be required from the TDEC.

Alternatives and Comparison

TVA and USACE have evaluated two alternatives to the proposed EBCI Sequoyah Lodge and Lake Resort development. The first alternative is a No Action Alternative as required by the National Environmental Policy Act (NEPA) regulations of the Council on Environmental Quality. The Action Alternative proposes to approve the applicant's request for conveyance of a permanent land easement and permit approvals to construct the proposed water use facilities and shoreline stabilization. The Action Alternative would also result in the construction of new TRDA facilities on Parcel 95.

Under the No Action Alternative, no conveyance of TVA property would take place, and no construction of any land structures or water use facilities would occur. TRDA would continue to manage the 13.5-acre portion of Parcel 94 (XTTELR-17RE) for public recreation, and the public would continue to use the property as it is currently being used. There would be no lodge and resort complex developed on Parcel 94, nor would a new TRDA public fishing pier or new parking area on Parcel 95 be constructed.

Under the proposed Action Alternative, EBCI would be conveyed a long-term easement for the use of approximately 40 acres of TVA land on Parcel 94 and a portion of Parcel 95. EBCI would construct the Sequoyah Lodge and Lake Resort consisting of a 160-room lodge, a 140-room hotel, 108 quad units, 46 shore cabins, 137 RV camp lots with a boat launching ramp, 40,000 square feet of retail and restaurant space, kayak, canoe, and swimming center with fixed docks and 785 parking spaces. In addition, the applicant would construct a harbor area with a 100 double-slip marina and stabilize 2,500 linear feet of eroding shoreline. EBCI would develop a fishing pier and parking area on Parcel 95.

Affected Environment and Evaluation of Impacts

The proposed Sequoyah Lodge and Lake Resort development would be on Tellico Reservoir, on the east side of U.S. Highway (US) 411 immediately east of the Little Tennessee River bridge near Vonore, Tennessee. The requested use of TVA land totals approximately 40 acres located near the confluence of the Little Tennessee River and the Tellico River (Mile 0.5 on the left descending bank) downstream from the Sequoyah Birthplace Museum. A small parking lot, launching ramp, and fishing pier are currently located on a 13.5-acre portion of Parcel 94 (TRDA easement XTTELR-17E).

TVA has evaluated the potential for environmental impacts from the proposed EBCI Sequoyah Lodge and Lake Resort development and has documented this review on the

attached Categorical Exclusion Checklist form (Attachment A). Resources potentially affected by the land use and water use requests; both directly and indirectly, include terrestrial and aquatic habitats, water quality, wetlands, and cultural resource and floodplain impacts. Due to the previously identified issues in the Plan of boating capacity and safety on Tellico Reservoir, the EA provides a more lengthy analysis of the potential for recreation and navigation impacts.

Review of the TVA Natural Heritage database and on-site inspections conducted for the Plan did not reveal the presence of any listed terrestrial or aquatic animals or plants nor did there appear to be habitat to support listed species found on other Tellico Reservoir parcels.

Both Parcels 94 and 95 have been surveyed for archaeological resources. Although seven archaeological sites have been identified within these parcels, none are eligible for the NRHP. No archeological resources would therefore be affected. There is an historic farmstead recorded just west of the proposed park area. The substantial tree cover within the project area would preclude any adverse effect to the historic farmstead. The TSHPO concurred that the project would have no effect on archeological properties eligible for listing in the NRHP. The TSHPO also concurred that there would be no adverse impact to the historic farmstead (Attachment B).

No wetlands have been identified or are known to occur on Parcel 94 or 95. The shoreline area along the property is relatively steep, thus preventing the development of reservoir shoreline fringe wetlands.

All storage, piping, and dispersing of liquid fuel will comply with applicable requirements of the "Flammable and Combustible Liquids" Section of the National Fire Codes and any additional requirements of federal, state, and local laws and regulations.

For compliance with Executive Order (EO) 11988, a boat ramp, fixed docks and floating boatslips, and a beach are considered repetitive actions in the floodplain and should result in minor impacts. All land-based structures would be located on land above the TVA Flood Risk Profile elevation of 817.8 feet.

Terrestrial Ecology

The TVA Plan provides a general discussion of the terrestrial ecology of Tellico Reservoir. TVA Parcels 94 and 95 are long, relatively narrow properties of gentle to moderate slope. Much of the area is covered with a mixture of hardwoods, some pine trees, and kudzu infestation. The mix of habitats from this site, from fescue-dominated hayfields to moderate-aged mixed pine/hardwood forestland, is considered common on Tellico Reservoir and in the local area. The shoreline forested (riparian) habitat is considered fair in this area based primarily on the age of the forest, the depth of the forest from the shoreline, and the fairly common presence of exotic invasive plant species including kudzu. Under the Action Alternative, site development to construct the lodge, shore cabins, quad units, RV camp lots, restaurant, hotel, and parking spaces would involve some clearing of the site and tree removal. TVA would restrict project approval such that landscaping associated with future development would use no species considered invasive in the state of Tennessee and to use only endemic native species to benefit resident and migratory wildlife.

Water Quality and Aquatic Ecology

Site development and vegetation removal could result in erosion runoff to Tellico Reservoir. TVA would require, through conditions in the 26a permit, that construction-related Best Management Practices be used to reduce erosion and sediment impact to Tellico Reservoir to acceptable levels. The applicant's original proposal to stabilize approximately 5,200 linear feet of eroding shoreline, has now been reduced to 2,500 linear feet. The modified stabilization proposal would improve water quality in the long-term, by providing rock aquatic habitat although to a lesser degree than the original proposal. Implementation of these measures and conditions together with the conditions in the State's ARAP and the USACE's nationwide permits would reduce water quality impacts to insignificant levels.

Wastewater treatment for the development would be provided by sewer service through an existing facility in Vonore. The marina would be equipped with a pump-out facility to handle marine wastewater. All gas-fueling facilities would be required to meet state and federal requirements.

Recreation

The Tellico project was intended to provide significant opportunities for recreation and substantial amounts of public use opportunities. TVA and TRDA have provided public access to the reservoir with 14 boat ramp areas. There are four commercially operated campgrounds. TVA manages a recreation area on the Tellico Dam Reservation, which includes a picnic shelter, beach area, trail, and boat ramp. Public golf is provided on the reservoir at four privately owned, 18-hole golf courses, three of which are located below the US 411 bridge. The town of Vonore, Tennessee, operates the only local park on Tellico Reservoir. TDEC manages the 395-acre Fort Loudoun State Historic Area, 38-acre Tellico Blockhouse State Historic Area, and 1-acre Tanasi Memorial Recreation Area. No overnight lodging exists at any reservoir recreation area; however, the Rarity Pointe Resort community is being developed on the lower end of the reservoir at Little Tennessee River Mile (LTRM) 4.0, which will provide a marina and overnight lodging.

The Plan allocated Parcel 94 (37.5 acres) at Tellico River Mile 0.5 for recreation purposes, with the intent that commercial recreation use be considered. Parcel 94 includes a recreation area commonly known as the 411 fishing pier, a 13.5-acre parcel (Tract No. XTTELR-17RE). TRDA has a permanent recreation easement from TVA to manage this tract for public purposes. Existing facilities include a parking area, trail, and fishing pier. Parcel 94 is adjacent to the upstream, undeveloped Parcel 95 (68 acres), which is also allocated for recreation purposes intended for public use. Interest has been expressed over the last decade by the EBCI to develop some of the property associated with Parcels 94 and 95 for commercial recreation purposes and use proceeds from the revenue generated to support the Sequoyah Birthplace Museum.

The proposed development would provide commercial recreation opportunities in support of the Plan's current allocations. It would also displace an existing TRDA public use area that provides informal boating access and bank/pier fishing opportunities. The applicant has agreed to mitigate the loss of these public use area amenities. An additional area at LTRM 12.5 in Bat Creek allocated for commercial recreation purposes was sold to TRDA and remains undeveloped.

The development of Parcel 94 and a portion of Parcel 95 would be consistent with the Plan's allocations for the two parcels, would provide additional recreation opportunities on Tellico, and would consummate several years of planning by the EBCI to use the property.

The only other commercial recreation development existing on the reservoir is the Tellico Harbor Marina at LTRM 20.0 and the Rarity Pointe project that is under development at the lower end of the Little Tennessee River. The reservoir receives substantial boating use as a result of the existing public access areas, private residential docks, community docks, and Tellico Village Yacht Club; however, overnight lodging destination resort facilities are lacking.

Reservoir boating facilities above the US 411 bridge include ten public/commercial boat ramps (186 parking spaces), approximately 500 existing/potential residential docks, and Tellico Harbor Marina, which has a capacity of 112 dry and 258 wet slips and typically is at 90-95 percent capacity in peak season. Potential vessels from all of these sources total approximately 1,406. When the potential vessels (205) from the Sequoyah Lodge and Lake Resort are added, that raises the maximum number of vessels to 1,611. There is a water surface area of approximately 8,000 acres above the US 411 bridge.

Based on the assumption that residential docks would average 1.7 vessels¹ per dock, boating would typically occur in the upper end of the reservoir, and no more than 35 percent of all boats from all sources would be on the water during peak periods, there could be approximately 564 vessels on the water at one time. This would create a boating density of approximately 14.2 acres of water surface per vessel. This range is well above the recommended threshold of 10 acres per boat (TVA, 2002). Although portions of the reservoir receive heavy boating use at peak periods and public boating pressures will likely continue to increase, there appears to be ample water surface area for boating to accommodate existing and planned dock facilities at private and commercial areas where land rights already exist, as well as boating traffic generated by the Sequoyah Lodge and Lake Resort.

TRDA has agreed to relinquish its rights to manage the 13.5-acre portion on Parcel 94 (XTTELR-17RE) and to request a new public recreation easement on Parcel 95. EBCI has agreed to develop an access road, parking lot, walkway, and fishing pier as mitigation for the loss of existing public access/facilities at the 411 fishing pier.

TRDA would develop the remainder of the property as a public recreation area as use increases around the reservoir. A concept plan (see Categorical Exclusion Checklist - Attachment A) has been prepared that provides for day use development on the balance of Parcel 95. Amenities include picnicking facilities, trails, a boat ramp, parking, and a fishing pier.

The EBCI would be granted a recreation easement on Parcel 94 and use its proceeds from leasing the property to the developers of the Sequoyah Lodge and Lake Resort to support the Sequoyah Birthplace Museum. Income from the lease would help sustain the infrastructure and operation of the museum.

¹ Visual inspections of approved private docks within a 22-mile, heavily developed study zone for Rarity Pointe indicate an average of 1.7 vessels (boats and jet skis) per private lot.

Navigation

The commercial navigation channel on Tellico Reservoir extends 18.8 miles up the Little Tennessee River from the Tellico Canal at Tennessee River Mile 602.3L to the public use barge terminal at LTRM 18.8L. The commercial channel was prepared prior to impoundment of the reservoir to provide a year-round, minimum 11-foot channel suitable for 9-foot draft towboats and barges. The U.S. Coast Guard maintains the navigation channel buoys and onshore day beacons marking the commercial navigation channel. The public use terminal at LTRM 18.8L handles barge shipments on demand. Minor commercial landings were identified at LTRM 23.9R and Tellico River Mile 4.1 as future sites for handling barge shipments. The USACE considers the Tellico River from its mouth (LTRM 19.2) to LTRM 37.0 as waters of the United States as defined under 33 Code of Federal Regulation 329.

TVA marks secondary navigation channels for recreational boaters. Secondary navigation channel markers consist of buoys and onshore day boards. Recreational channels are maintained on the Little Tennessee River between LTRMs 19.2 and 29.6; Tellico River from the mouth to Mile 7.7; Jackson Bend cutoff between LTRMs 10.2 and 12.2; and Clear, Fork, Bat, Baker, Ninemile, Fourmile, Notchy, and Ballplay Creeks.

The mouth of the Tellico River is located just upstream of the US 411 bridge at LTRM 19.2. Commercial navigation is restricted past the US 411 bridge due to bridge clearances; therefore, recreational navigation is the primary concern at this location. The area is very narrow and can be dangerous to recreational boaters due to the location of the bridge and the restricted visibility in the area. With the potentially large increase in traffic associated with the proposed development, this area could become even more dangerous. It is important that the proposed water use facilities do not interfere with recreational navigation or restrict the usage of the river to recreational boaters. The proposed facilities would not interfere with the placement or visibility of navigation aids used by recreational boaters. The potential negative impacts to recreational navigation would be reduced as long as the marina development is constructed according to the Section 26a/DA permit requirements.

The proposed maximum lakeward extension of each dock from the summer pool elevation of 813 feet is:

- Dock 1: Breakwater - 190 feet from the 813-foot elevation
- Dock 2: 196 feet from the 813-foot elevation
- Dock 3: 225 feet from the 813-foot elevation
- Dock 4: 250 feet from the 813-foot elevation
- Dock 5: 260 feet from the 813-foot elevation
- Dock 6: 275 feet from the 813-foot elevation
- Dock 7: 275 feet from the 813-foot elevation
- Dock 8: 228 feet from the 813-foot elevation

As long as the boat slips do not extend beyond these maximum lengths, the marina development would not interfere with recreational navigation.

Under the proposed Action Alternative, there would likely be an increase in the number of recreational boats and jet skis on the reservoir. TVA, however, has no regulations limiting the number of boats that can operate on TVA reservoirs. The Tennessee Wildlife Resources Agency is responsible for enforcement of boating safety regulations in the state of Tennessee, including Tellico Reservoir.

All of the proposed water use components of the development appear to be protected by breakwaters. This would provide sufficient protection from wave action for the activities involved therein. "No-wake" buoys would not be allowed in the vicinity of the development. Except for the marina development, harbor limits would be established 50 feet from the shoreline and all structures. The harbor limits within the marina development would not extend beyond the breakwaters at the end of each set of slips. No boats would be moored on the outside of the breakwaters at the end of each slip.

Mitigation Measures

The following commitments would be incorporated, as appropriate, in the Section 26a permit or the grant of easement for the property.

Special Commitments

1. Landscaping associated with the future development will not use any plant species considered invasive in the state of Tennessee.
2. Lighting fixtures as indicated in Attachment A will be provided in order to minimize impacts to other area night-use programs (observatories, etc.).
3. "No-wake" buoys will not be allowed in the vicinity of the development.
4. Except for the marina development, harbor limits will be set at 50 feet from the shoreline and all structures. The harbor limits within the marina development will not extend beyond the breakwaters at the end of each set of slips. No boats will be moored on the outside of the breakwaters at the end of each slip.
5. The applicant will construct a paved access road, 18-car parking lot, access walkway, and 150-foot fishing pier on Parcel 95 in accordance with TVA design specifications, to mitigate the loss of an existing TRDA public use area.

Routine Commitments

6. Applicant agrees to anchor all floating facilities securely to prevent them from floating free during major floods.
7. Any future facilities or equipment subject to flood damage would be located above or flood proofed to the TVA Flood Risk Profile elevation of 817.8 feet.
8. Any future development proposed within the limits of the 100-year floodplain, elevation 816.5, would be consistent with the requirements of EO 11988.

9. All future development would be consistent with the requirements of TVA's Flood Control Storage Loss Guideline.
10. The floor elevation of any fixed docks would be a minimum of 2.0 feet above the normal summer pool elevation of 813 feet.
11. The 100-year flood elevation at this site is estimated to be 816.5-foot mean sea level. As a minimum, fixed, covered facilities would be designed so that stored boats are not forced against the roof during a 100-year flood event.

TVA Preparers

Janet L. Duffey	Land Use Representative
Charles H. Ellenburg	Recreation
Kelie H. Hammond	Navigation
A. Eric Howard	Cultural Resources
Wesley K. James	Terrestrial Ecology, Invasive Plants, Threatened and Endangered Species, Wetlands
J. Adam Lea	Traffic
Roger A. Milstead	Floodplains
Kenneth P. Parr	NEPA Administration
George E. Peck	Aquatic Ecology
W. Chett Peebles	Visual Resources
Harold L. Petty	Traffic
Richard L. Toennisson	NEPA Administration

Agencies and Others Consulted

Federal Agencies

U.S. Army Corps of Engineers, Nashville District
 U.S. Department of the Interior
 Bureau of Indian Affairs
 Fish and Wildlife Service

State Agencies

East Tennessee Development District
 Tellico Reservoir Development Authority
 Tennessee Department of Agriculture
 Tennessee Department of Economic and Community Development
 Tennessee Department of Environment and Conservation
 Tennessee Department of Transportation
 Tennessee Wildlife Resources Agency

Tribal Government

Eastern Band of Cherokee Indians

References

Tennessee Valley Authority. 2000. Tellico Reservoir Final Environmental Impact Statement and Land Management Plan.

Tennessee Valley Authority. 2002. Tims Ford Reservoir Recreational Boating Capacity Study.

Attachments

TVA Categorical Exclusion Checklist 3662 and Agency Correspondence

ATTACHMENT A – CATEGORICAL EXCLUSION CHECKLIST



Categorical Exclusion Checklist Information about CEC 3662

NEPA User:
Richard L
Toennisson

Select Option

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- Environmental Information Center**

Checklist Preparer	Janet L Duffey
Date Started	04/18/2003
Initiating Organization	RSOE - Resource Stewardship
Initiating Org Tracking ID	138677
ALIS ID	138677
Project Initiator/Manager	Janet L Duffey
Project Title	EASTERN BAND OF THE CHEROKEE INDIANS
Description of Proposed Action	Land Activity Type: Easement Applicant(s): Ms. Joyce C. Dugan Eastern Band of Cherokee Indians Qualla Boundary Post Office Box 455 Cherokee NC 28719
TVA Facility	Little Tennessee Watershed Team
Location Description	Reservoir Name: Tellico Stream Name: Tellico R River Mile: 0.5 Bank Location: L Land Tract(s): XT TELR 43 RE Map Sheet(s): 139 SW 19 C/D Stage
Primary Media Expert Reviewer(s)	Janet L Duffey complete 04/14/2004 Charles H Ellenburg complete 05/23/2003 Kelie H Hammond complete 06/18/2003 Wesley K James complete 05/20/2003 Roger A. Milstead complete 06/10/2003 Russell D. Smith * complete 05/02/2003
Secondary Media Expert Reviewer(s)	Anthony E. Howard complete 05/08/2003 George E Peck complete 05/19/2003 W. Chett Peebles complete 05/23/2003
Review/Concurrence	Jack W Miller signed 07/10/2003 Joseph W Phillips signed 04/14/2004 Janet L Duffey signed 04/14/2004
Additional Closer	Preparer Only
Due Date	05/23/2003
Business Sensitive	No
CEC Status	Open

* Denotes reviewer who coordinates secondary media reviewers

Categorical Exclusion Checklist for Proposed TVA Actions

Categorical Exclusion Number Claimed	Organization ID Number 138677	Tracking Number (NEPA Administration Use Only) 3662
Form Preparer Janet L. Duffey	Project Initiator/Manager Janet L. Duffey	Business Unit RSOE - Resource Stewardship
Project Title EASTERN BAND OF THE CHEROKEE INDIANS		Hydrologic Unit Code 06010204-120
Description of Proposed Action (Include Anticipated Dates of Implementation) <input checked="" type="checkbox"/> Continued on Page 3 (if more than one line) For Proposed Action See Attachments and References		
Initiating TVA Facility or Office Little Tennessee Watershed Team	TVA Business Units Involved in Project RSOE - Resource Stewardship	
Location (City, County, State) For Project Location see Attachments and References		

Parts 1 through 4 verify that there are no extraordinary circumstances associated with this action:

Part 1. Project Characteristics

Is there evidence that the proposed action---	No	Yes	Information Source
1. Is major in scope?		X	For comments see attachments
2. Is part of a larger project proposal involving other TVA actions or other federal agencies?	X		Duffey J. L. 07/10/2003
*3. Involves non-routine mitigation to avoid adverse impacts?	X		Duffey J. L. 07/10/2003
4. Is opposed by another federal, state, or local government agency?	X		Duffey J. L. 07/10/2003
*5. Has environmental effects which are controversial?	X		Duffey J. L. 07/10/2003
*6. Is one of many actions that will affect the same resources?	X		Duffey J. L. 07/10/2003
7. Involves more than minor amount of land?		X	For comments see attachments

* If "yes" is marked for any of the above boxes, consult with NEPA Administration on the suitability of this project for a categorical exclusion.

Part 2. Natural and Cultural Features Affected

Would the proposed action---	No	Yes	Per- mit	Commit- ment	Information Source for Insignificance
1. Potentially affect endangered, threatened, or special status species?	X		No	No	For comments see attachments
2. Potentially affect historic structures, historic sites, Native American religious or cultural properties, or archaeological sites?	X		No	No	For comments see attachments
3. Potentially take prime or unique farmland out of production?	X		No	No	Duffey J. L. 07/10/2003
4. Potentially affect Wild and Scenic Rivers or their tributaries?	X		No	No	Ellenburg C. H. 05/23/2003
5. Potentially affect a stream on the Nationwide Rivers Inventory?	X		No	No	Ellenburg C. H. 05/23/2003
6. Potentially affect wetlands, water flow, or stream channels?	X		No	No	For comments see attachments
7. Potentially affect the 100-year floodplain?		X	No	No	For comments see attachments
8. Potentially affect ecologically critical areas, federal, state, or local park lands, national or state forests, wilderness areas, scenic areas, wildlife management areas, recreational areas, greenways, or trails?	X		No	No	For comments see attachments
9. Contribute to the spread of exotic or invasive species?	X		No	No	For comments see attachments
10. Potentially affect migratory bird populations?	X		No	No	James W. K. 05/20/2003
11. Involve water withdrawal of a magnitude that may affect aquatic life or involve interbasin transfer of water?	X		No	No	Duffey J. L. 07/10/2003
12. Potentially affect surface water?		X	No	No	For comments see attachments
13. Potentially affect drinking water supply?		X	No	No	Duffey J. L. 04/14/2004
14. Potentially affect groundwater?	X		No	No	Duffey J. L. 07/10/2003
15. Potentially affect unique or important terrestrial habitat?	X		No	No	For comments see attachments
16. Potentially affect unique or important aquatic habitat?		X	No	No	For comments see attachments

Part 3. Potential Pollutant Generation

Would the proposed action potentially (including accidental or unplanned)---	No	Yes	Per- mit	Commit- ment	Information Source for Insignificance
1. Release air pollutants?	X		No	No	Duffey J. L. 07/10/2003
2. Generate water pollutants?	X		No	No	Duffey J. L. 07/10/2003
3. Generate wastewater streams?	X		No	No	Duffey J. L. 07/10/2003
4. Cause soil erosion?	X		No	No	Duffey J. L. 07/10/2003
5. Discharge dredged or fill materials?	X		No	No	Duffey J. L. 07/10/2003
6. Generate large amounts of solid waste or waste not ordinarily generated?	X		No	No	Duffey J. L. 07/10/2003
7. Generate or release hazardous waste (RCRA)?	X		No	No	Duffey J. L. 07/10/2003
8. Generate or release universal or special waste, or used oil?	X		No	No	Duffey J. L. 07/10/2003
9. Generate or release toxic substances (CERCLA, TSCA)?	X		No	No	Duffey J. L. 07/10/2003
10. Involve materials such as PCBs, solvents, asbestos, sandblasting material, mercury, lead, or paints?	X		No	No	Duffey J. L. 07/10/2003
11. Involve disturbance of pre-existing contamination?	X		No	No	Duffey J. L. 07/10/2003
12. Generate noise levels with off-site impacts?	X		No	No	Duffey J. L. 07/10/2003
13. Generate odor with off-site impacts?	X		No	No	Duffey J. L. 07/10/2003
14. Produce light which causes disturbance?		X	No	Yes	For comments see attachments
15. Release of radioactive materials?	X		No	No	Duffey J. L. 07/10/2003
16. Involve underground or above-ground storage tanks or bulk storage?	X		No	No	Duffey J. L. 07/10/2003
17. Involve materials that require special handling?	X		No	No	Duffey J. L. 07/10/2003

Part 4. Social and Economic Effects

Would the proposed action---	No	Yes	Commit- ment	Information Source for Insignificance
1. Potentially cause public health effects?	X		No	Duffey J. L. 07/10/2003
2. Increase the potential for accidents affecting the public?	X		No	Duffey J. L. 07/10/2003
3. Cause the displacement or relocation of businesses, residences, cemeteries, or farms?	X		No	Duffey J. L. 07/10/2003
4. Contrast with existing land use, or potentially affect resources described as unique or significant in a federal, state, or local plan?	X		No	Duffey J. L. 07/10/2003
5. Disproportionately affect minority or low-income populations?	X		No	Duffey J. L. 07/10/2003
6. Involve genetically engineered organisms or materials?	X		No	Duffey J. L. 07/10/2003
7. Produce visual contrast or visual discord?	X		No	For comments see attachments
8. Potentially interfere with recreational or educational uses?	X		No	For comments see attachments
9. Potentially interfere with river or other navigation?	X		No	For comments see attachments
10. Potentially generate highway or railroad traffic problems?	X		No	For comments see attachments

Part 5. Other Environmental Compliance/Reporting Issues

Would the proposed action---	No	Yes	Commit- ment	Information Source for Insignificance
1. Release or otherwise use substances on the Toxic Release Inventory list?	X		No	Duffey J. L. 07/10/2003
2. Involve a structure taller than 200 feet above ground level?	X		No	Duffey J. L. 07/10/2003
3. Involve site-specific chemical traffic control?	X		No	Duffey J. L. 07/10/2003
4. Require a site-specific emergency notification process?	X		No	Duffey J. L. 07/10/2003
5. Cause a modification to equipment with an environmental permit?	X		No	Duffey J. L. 07/10/2003

CEC Comment Listing

Part 1 Comments

1. The proposal includes a 40-acre resort that includes a marina, conference center, cabins, hotel, RV camp lots, restaurants, and other retail.
By: Janet L. Duffey 07/10/2003
7. The project involves 40 acres of land for the resort and additional acreage to be dedicated to replacement of the existing public boat ramp, fishing pier and parking area.
By: Janet L. Duffey 07/10/2003

Part 2 Comments

1. Review of the ALIS Heritage Database and onsite inspections did not reveal the presence of any listed terrestrial or aquatic animals or plants, nor does there appear to be habitat to support listed species found on other Tellico Reservoir parcels. Site inspections conducted for the 2000 Tellico Reservoir Land Management Plan did not locate any listed species or habitat for such species.
By: Wesley K James 05/20/2003
2. Although two recorded archaeological sites exist on the property, neither is eligible for the National Register of Historic Places. Furthermore, the property was included in an archaeological survey and no other cultural resources were identified there. Thus, the proposed actions are not expected to affect any historic properties (as defined by Section 106 of the National Historic Preservation Act of 1966). TVA has consulted with the Tennessee State Historic Preservation Officer, who is in agreement with this finding. Concur with approval. -Steve Cole
By: Anthony E. Howard 05/08/2003
6. No wetlands have been identified or are known to occur on the subject easement property. The shoreline area along this parcel is relatively steep, thus preventing the development of reservoir shoreline fringe wetlands.
By: Wesley K James 05/20/2003
7. See attached response.
By: Roger A. Milstead 06/10/2003
Files: 138673lct.doc 06/10/2003 36,864 Bytes
8. The proposed development will not adversely affect recreation areas.
By: Charles H Ellenburg 05/23/2003
8. No ecologically critical areas, national or state forests, wilderness areas or wildlife management areas will be affected by this proposed easement and 26a permit for associated facilities.
By: Wesley K James 02/24/2004
9. Invasive plant species, including privet, Japanese honeysuckle, mimosa and crown vetch are fairly common on this parcel. In some areas kudzu has invaded all the way to the shoreline and is found climbing in numerous trees on the site. Landscaping associated with future development should not use any plant species considered invasive in the state of Tennessee. This should be considered as a condition in the Grant of Easement for the property and the 26a permit for associated facilities.
By: Wesley K James 02/24/2004
12. I have no objection to the granting of the easement or 26a permit for the development. Impacts resulting from the proposed activities would be insignificant with implementation of appropriate routine conditions from the General and Standard Conditions Checklist.
By: George E Peck 04/14/2004
Files: 05-138677-26a-revised.doc 04/14/2004 11,776 Bytes
12. I have no objection to the granting of the easement as requested. No impacts to aquatic habitats would result from this administrative action. It is my understanding that impacts resulting from future development activities would be assessed as part of a future NEPA document. In general, impacts resulting from the proposed activities would be insignificant with implementation of appropriate routine conditions from the General and Standard Conditions Checklist. In order to maintain an insignificant level of impact, it may also be necessary to limit alteration of the existing shoreline condition to some extent through the designation of undisturbed buffer zones or vegetation management plans.
By: George E Peck 05/19/2003
Files: 05-138677-26a.doc 05/19/2003 11,776 Bytes

CEC Comment Listing

15. The mix of habitats on this site, from fescue dominated hayfields to moderate aged mixed pine/hardwood forestland, is considered common on Tellico Reservoir and in the local area. The shoreline forested (riparian) habitat is considered fair in this area based primarily on the age of the forest, the depth of forest from the shoreline, and the fairly common presence of exotic invasive plant species, including kudzu. Future site landscaping should emphasize the use of endemic native plant species to benefit resident and migratory wildlife that may use the site in the future while providing some level of biological diversity in a developed setting.
By: Wesley K James 09/30/2003
16. I have no objection to the granting of the easement or 26a permit for the development. Impacts resulting from the proposed activities would be insignificant with implementation of appropriate routine conditions from the General and Standard Conditions Checklist.
By: George E Peck 04/14/2004
Files: 05-138677-26a-revised.doc 04/14/2004 11,776 Bytes
16. I have no objection to the granting of the easement as requested. No impacts to aquatic habitats would result from this administrative action. It is my understanding that impacts resulting from future development activities would be assessed as part of a future NEPA document. In general, impacts resulting from the proposed activities would be insignificant with implementation of appropriate routine conditions from the General and Standard Conditions Checklist. In order to maintain an insignificant level of impact, it may also be necessary to limit alteration of the existing shoreline condition to some extent through the designation of undisturbed buffer zones or vegetation management plans.
By: George E Peck 05/19/2003
Files: 05-138677-26a.doc 05/19/2003 11,776 Bytes

Part 3 Comments

14. All lights used (including headlights and pole-mounted, equipment-mounted or structure-mounted floodlights) should be fully shielded or should have internal low-glare optics, such that no light is emitted from the fixture at angles above the horizontal. For construction, this may require temporarily retrofitting headlights, floodlights, and other fixtures with external visors and side-shields. Shielded Low Pressure Sodium should be used during the construction and operational phases. Area lighting and parking lot poles should be no taller than 40 feet, unless they are lighting objects taller than 40 feet. In such cases pole heights should be minimized.
By: W. Chett Peebles 05/10/2004
14. Providing fixtures as indicated will result in lighting that will have insignificant adverse impacts to other area night-use programs (observatories, etc.)
By: W. Chett Peebles 05/23/2003

Part 4 Comments

7. The proposed development would be located on the east side of US 411 on the Tellico River near Vonore, TN. The development would be in a small protected cove across the river from the Sequoyah Birthplace Museum. Scenic Attractiveness is common. Scenic Integrity is Moderate. Visual/Aesthetic impacts as a result of this development would be insignificant. There are few residents in the area that would have views of the proposed structures. Motorists along US 411 would have brief views of the development. These views would be in the foreground and would be slightly obscured by elevation differences that occur between the roadway and the edge of the water. Therefore, there are no Visual impacts anticipated as a result of this proposed development.
By: W. Chett Peebles 05/23/2003
8. Additional recreation analysis comment: the concept plan may require an adjustment/reduction in the property boundary/acreage, and the number of campsites on the western corner of the tract, in order to ensure public access to the adjoining TVA tract.
By: Charles H Ellenburg 05/27/2003

Parts 1 through 4: If "yes" is checked, describe in the discussion section following this form why the effect is insignificant. Attach any conditions or commitments which will ensure insignificant impacts. Use of non-routine commitments to avoid significance is an indication that consultation with NEPA Administration is needed.

An EA or EIS will be prepared.

Based upon my review of environmental impacts, the discussions attached, and/or consultations with NEPA Administration, I have determined that the above action does not have a significant impact on the quality of the human environment and that no extraordinary circumstances exist. Therefore, this proposal qualifies for a categorical exclusion under Section 5.2. _____ of TVA NEPA Procedures.

Project Initiator/Manager Janet L Duffey		Date 04/14/2004
TVA Organization RSO&E	E-mail jlduffey@tva.gov	Telephone

Site Environmental Compliance Reviewer

Final Review/Closure

Signature

Janet L Duffey

Signature

Other Review Signatures (as required by your organization)

Jack W Miller _____ Signature	07/10/2003 _____ Signature
Joseph W Phillips _____ Signature	04/14/2004 _____ Signature
_____ Signature	_____ Signature

Attachments/References

Description of Proposed Action

Land Activity Type: Easement Applicant(s): Ms. Joyce C. Dugan Eastern Band of Cherokee Indians Qualla Boundary Post Office Box 455 Cherokee NC 28719

Project Location

Reservoir Name: Tellico Stream Name: Tellico R River Mile: 0.5 Bank Location: L Land Tract(s): XT TELR 43 RE Map Sheet(s): 139 SW 19 C/D Stage

CEC Comment Listing

8. See attachment for recreation analysis.

By: Charles H Ellenburg 05/23/2003

Files: EBCI CEC Review.doc 05/23/2003 23,040 Bytes

9. Please see attached document - This verifies that their final proposed dock lengths are consistent with what we required.

By: Kelie H Hammond 04/06/2004

Files: 138677tel - 26a - Tellico River Mile 0.5L - Eastern Band of the Cherokee Indians - final writeup.doc 04/06/2004 27,648 Bytes

9. Please see attached document - This is revised with maximum lakeward extensions that will be allowed.

By: Kelie H Hammond 03/02/2004

Files: 138677tel - 26a - Tellico River Mile 0.5L - Eastern Band of the Cherokee Indians - final lengths.doc 03/02/2004 29,184 Bytes

10. Traffic analysis

By: Janet L Duffey 07/10/2003

Files: EBCI Easement - Traffic Assessment.doc 07/10/2003 26,624 Bytes

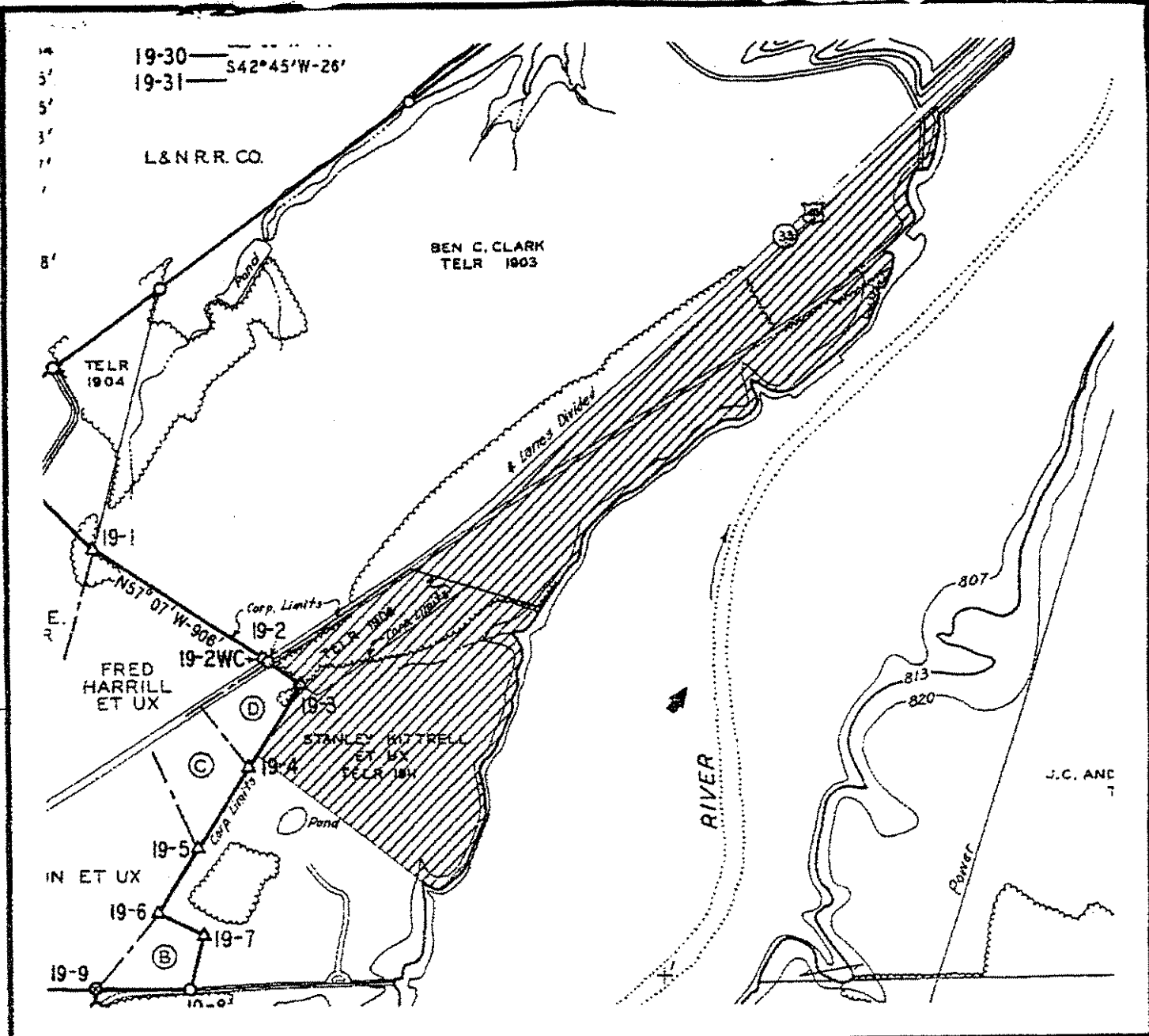


Exhibit Map

Tellico Reservoir
 Proposed Commercial Recreation Easement
 Eastern Band of the Cherokee Indians
 Tract Number XTTEL-43RE

Map Reference
 C-Stage 19C
 Quad 139 SW



Resource
 Stewardship



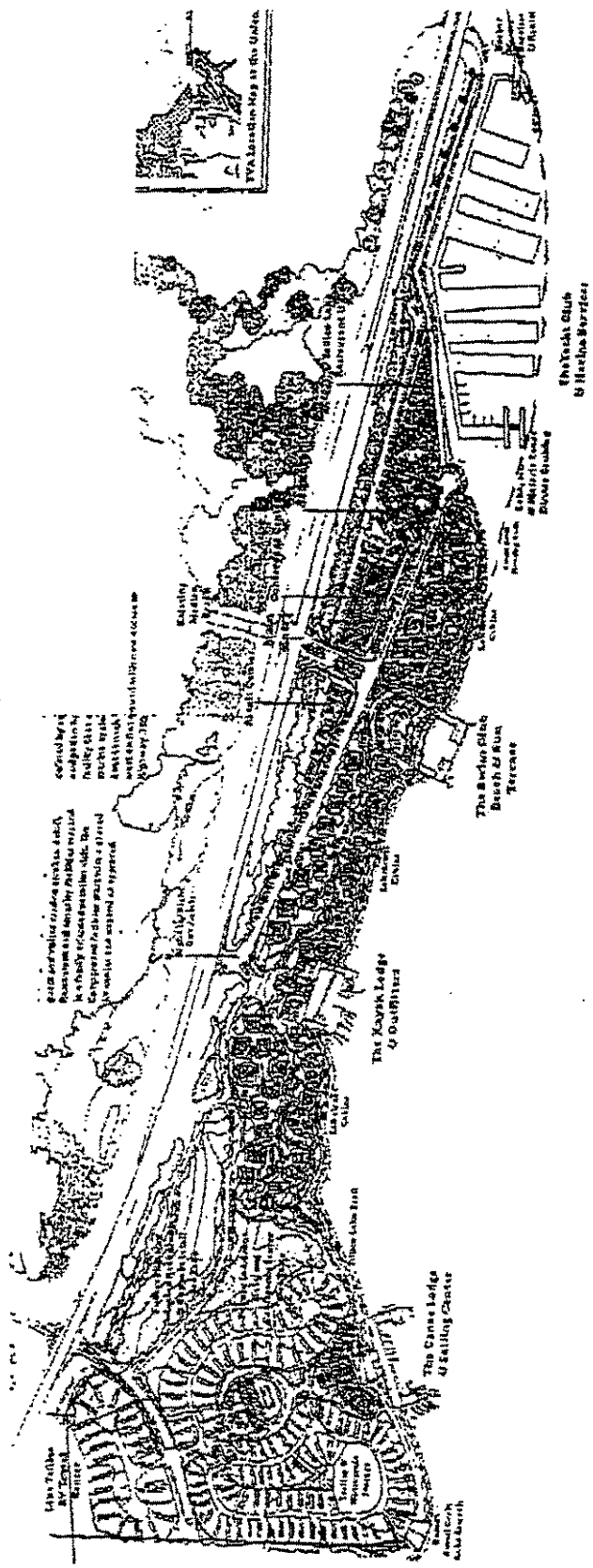
Legend



Location of Action
 Approximately 40 acres

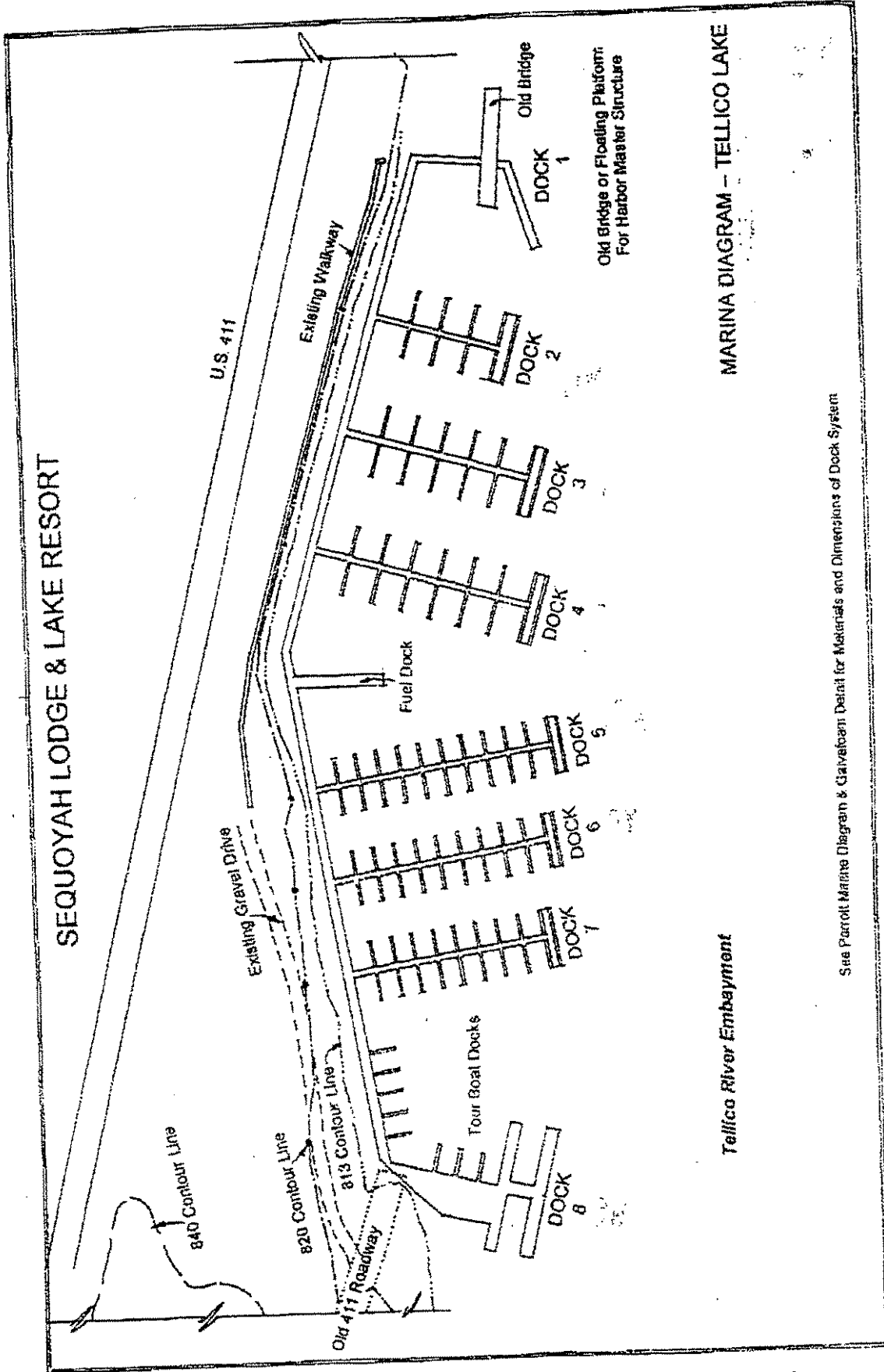


June 12, 2003



The Seaside Club
 1000 Seaside Ave.
 Seaside, Ore.
 The Seaside Club
 1000 Seaside Ave.
 Seaside, Ore.
 The Seaside Club
 1000 Seaside Ave.
 Seaside, Ore.

SEQUOYAH LODGE & LAKE RESORT



MARINA DIAGRAM - TELlico LAKE

Tellico River Embayment

See Parrett Marina Diagram & Gravelboat Detail for Materials and Dimensions of Dock System

2/20/04

- DOCK 1: BREAKWATER 12' X 100' ^{Leg 1} 130' _{from 813} ^{Leg 2} 190' _{from 813}
- DOCK 2: 168' X 86', EIGHT 36' X 40' SLIPS, 196' FROM 813'.
- DOCK 3: 248' X 86', TWELVE 36' X 40' SLIPS, 276' FROM 813'.
- DOCK 4: 288' X 86', FOURTEEN 36' X 40' SLIPS, 316' FROM 813'.
- FUEL DOCK: 100' X 12'
- DOCK 5: 316' X 36', TWENTY-TWO 24' X 30' SLIPS, 344' FROM 813'.
- DOCK 6: 288' X 36', TWENTY 24' X 30' SLIPS, 316' FROM 813'.
- DOCK 7: 260' X 36', EIGHTEEN 24' X 30' SLIPS, 288' FROM 813'.
- DOCK 8: 200' X 150', SEVEN 24' X 30' SLIPS, THREE 30' X 70' SLIPS, 228' FROM 813'.
- FLOATING SHORELINE WALKWAY: 8' X 1150'.
- ALL MAINWALKS 6" WIDE.
- ALL FINGERS 4' WIDE.
- RAMPS: ONE 8' X 40' RAMP FROM EACH DOCK TO PAVED WALKWAY ON SHORE, EIGHT TOTAL.

Overhill Development Company, LLC

748 Broadway, Suite 202
Dunedin, Florida 34698
Phone (727) 734-1966
Fax: (727) 732-8634

Max
922 2474

Janet Duffey
Tennessee Valley Authority
804 Hwy 321N, Ste 300
Lenoir City, TN 37771

Dear Janet

You have given Parrott Marine a list of information you required regarding the marina improvements at the Sequoyah project. I believe they have separately provided you with the revision to the dock and break water layouts with full dimensions. We would like to provide you with information on the other issues on the list:

1. The first of two buildings shown on the docks is on the old bridge and will be the harbor masters offices as well as restroom facilities and a minor boating sundries retail operation. This building is 20 feet by 40 feet. Any required electrical will be above the flood elevation. The other structure is on floating dock 8 and is 30 feet by 30 feet. This structure will be used for restrooms, ticket sales and offices for the tour boats, as well as minor retail sundries sales. Each structure may have the office component located at a second level.
2. The pump-out station will be open to public use as we understand is required by law.
3. The fueling facility is planned as a pre-manufactured, above ground tank that is double-walled and provides containment features. The fuel lines are planned to be 2 - 3 inch diameter, double walled pipes which are buried where they cross the ground and then extend through a channel in the floating dock system. Connection points between the shore and floating dock will be via flexible armored stainless steel. All fueling facilities will meet state and federal requirements.
4. The entire length of shoreline of the Sequoyah Resort will be rip rapped.
5. The floating dock shown adjacent to the swim center, kayak lodge and canoe and sailing center are all intended to provide temporary mooring for small craft.

I have attached the final marina drawings from Parrott marine as well as a summary document listing each dock component and its size. The final item that we are aware you require is a rendered presentation drawing of the entire Sequoyah project. We will prepare this once you have confirmed your final acceptance of the marina configuration.

I hope that I have addressed all of your remaining concerns. Please feel free to contact me, or Richard Gehring, if we can be of further assistance.

Sincerely,


James Egnew

cc: Kirk Parrott, Max Ramsey

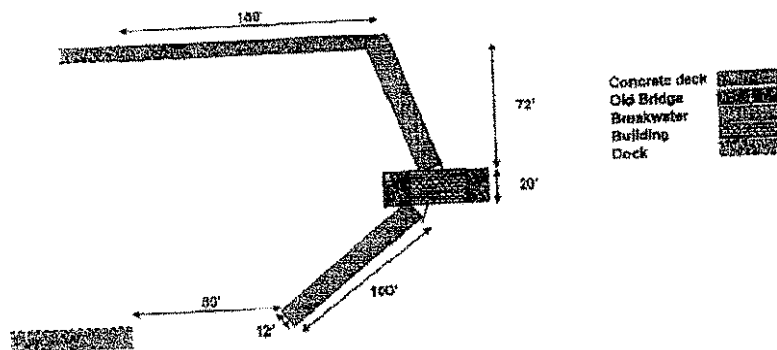
Description of Harbor Master/Bridge Options

Bridge Stable

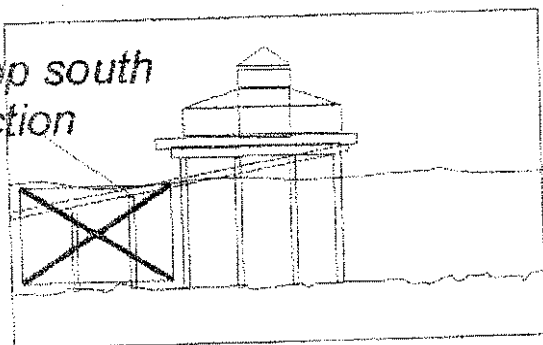
Old Bridge Section tests stable as a structure and the South section is dropped with 75-100 feet kept for base to harbor master building and stabilizing structure for floating marina system and breakwater

Bridge Dropped

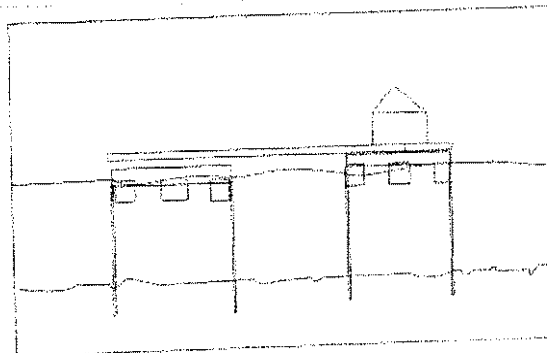
Old Bridge section is not stable and is dropped to lake bottom. Floating system is structured with breakwater and harbor master structure is on floating system with smaller lighter structure



Drop south section



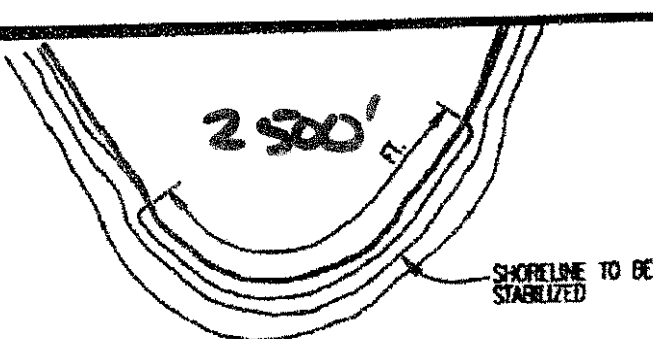
One story Structure with 3000-5000sq. Ft. Marina management and sales space. Breakwater and floating system attached



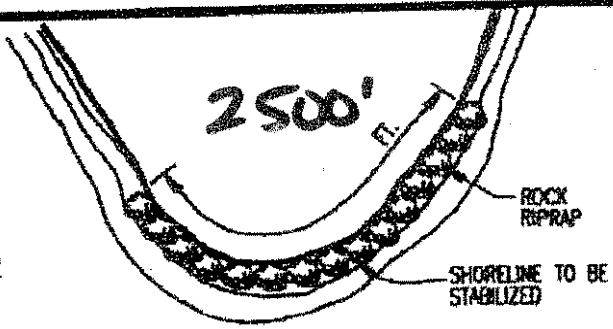
Floating Dock and break water with a 2000-3000 sq ft. Marina management and sales space part of floating system

SEQUOYAH LODGE & LAKE RESORT-LAKE TELlico

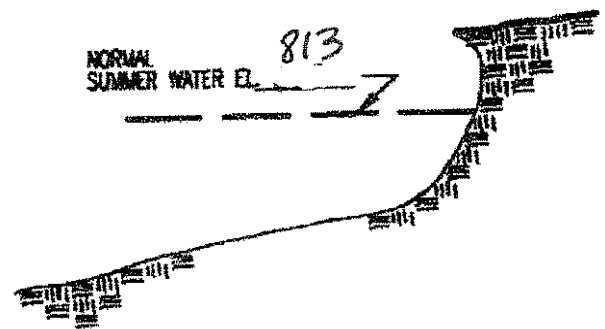
A project of the Eastern Band of the Cherokee Indians
& Overhill Development Company



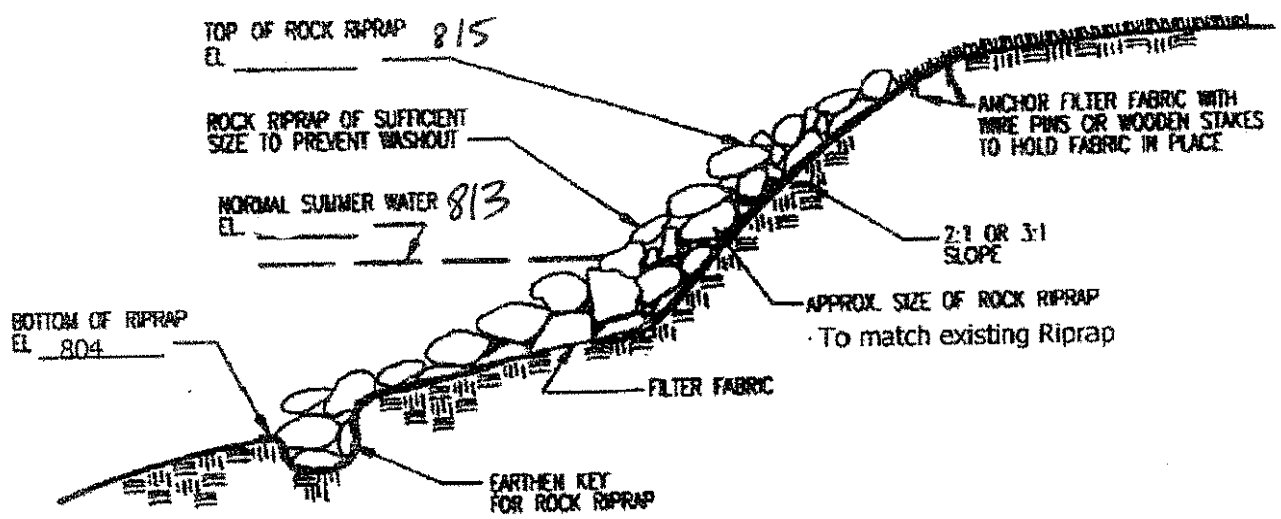
PLAN SHOWING EXISTING SHORELINE



PLAN SHOWING STABILIZED SHORELINE



SECTION SHOWING EXISTING SHORELINE

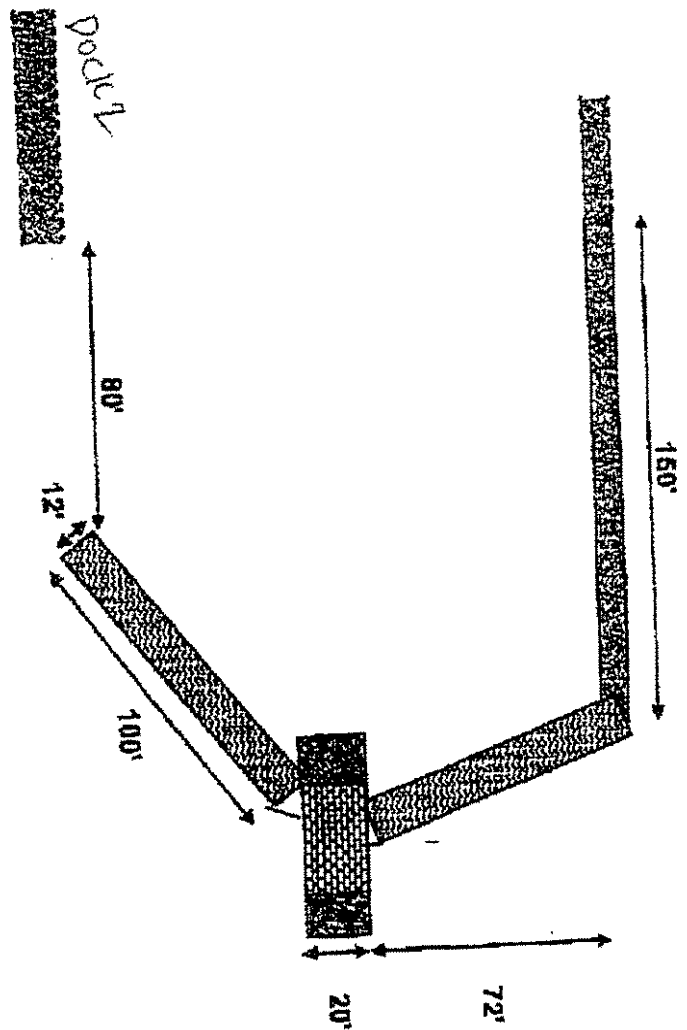


SECTION SHOWING STABILIZED SHORELINE

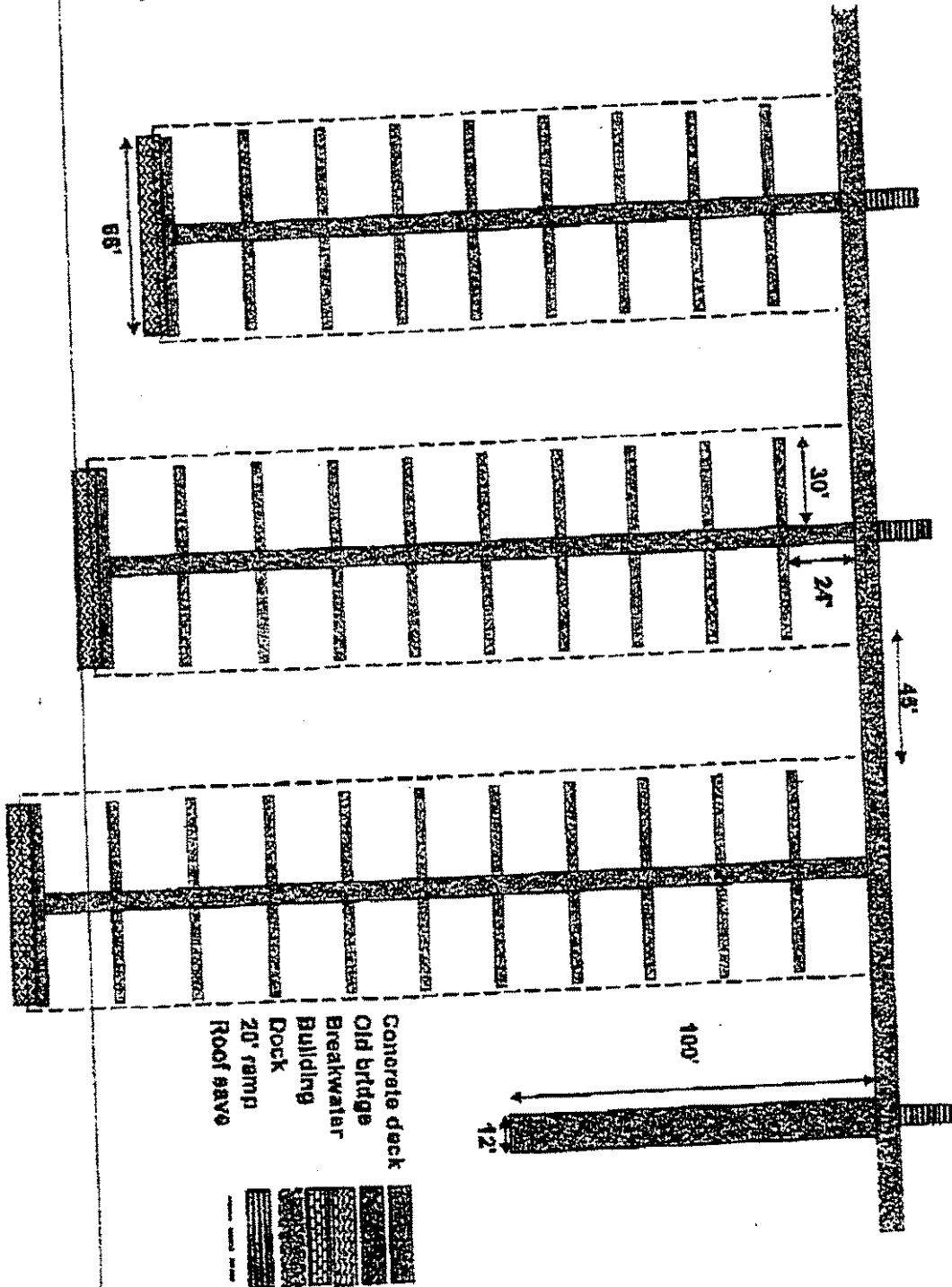
THE NORMAL SUMMER WATER LEVEL IS: 813

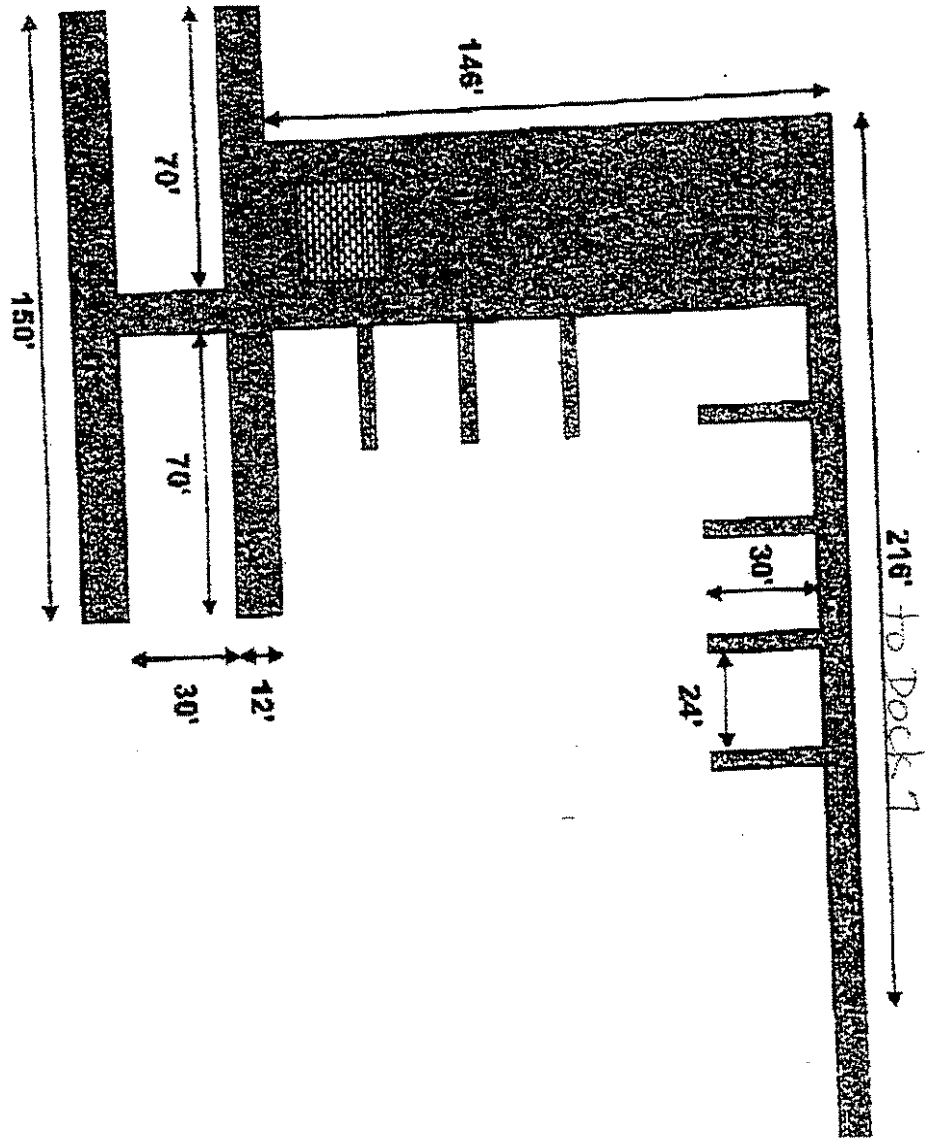
NOTE:
INCLUDE ALL DIMENSIONS AND ELEVATIONS WHERE INDICATED.

SEQUOYAH LODGE MARINA STABILIZATION	
TYPICAL SHORELINE ROCK RIPRAP	
PROJECT LOCATION INFORMATION:	
STREAM NAME _____	SUBDIVISION NAME _____
RESERVOIR NAME TELlico LAKE	LOT NUMBER _____
MILE MARKER _____	MAP NO. _____
(APPLICANT'S NAME) OVERHILL DEVELOPMENT COMPANY	

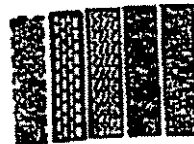


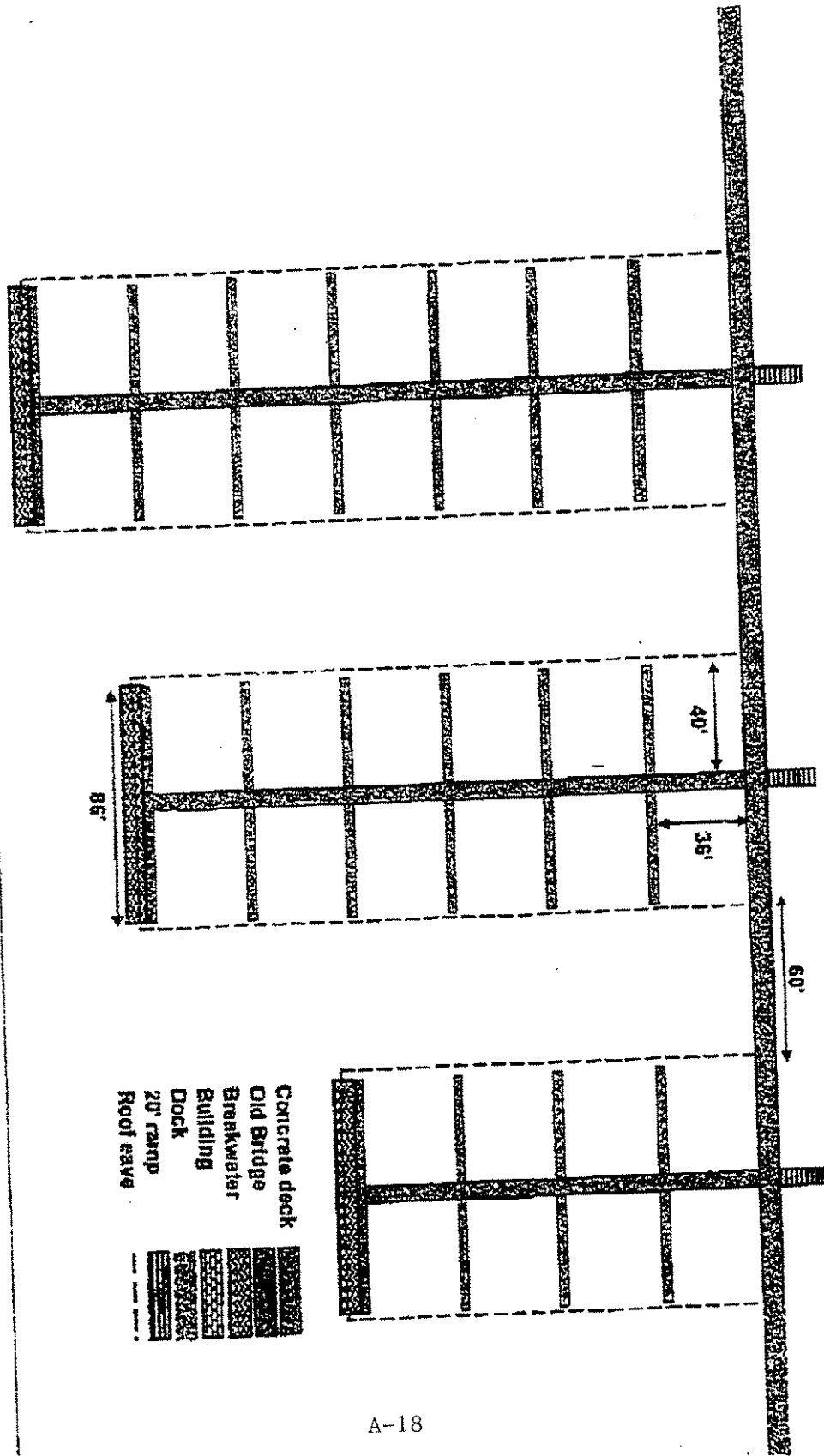
Concrete deck
 Old Bridge
 Breakwater
 Building
 Dock

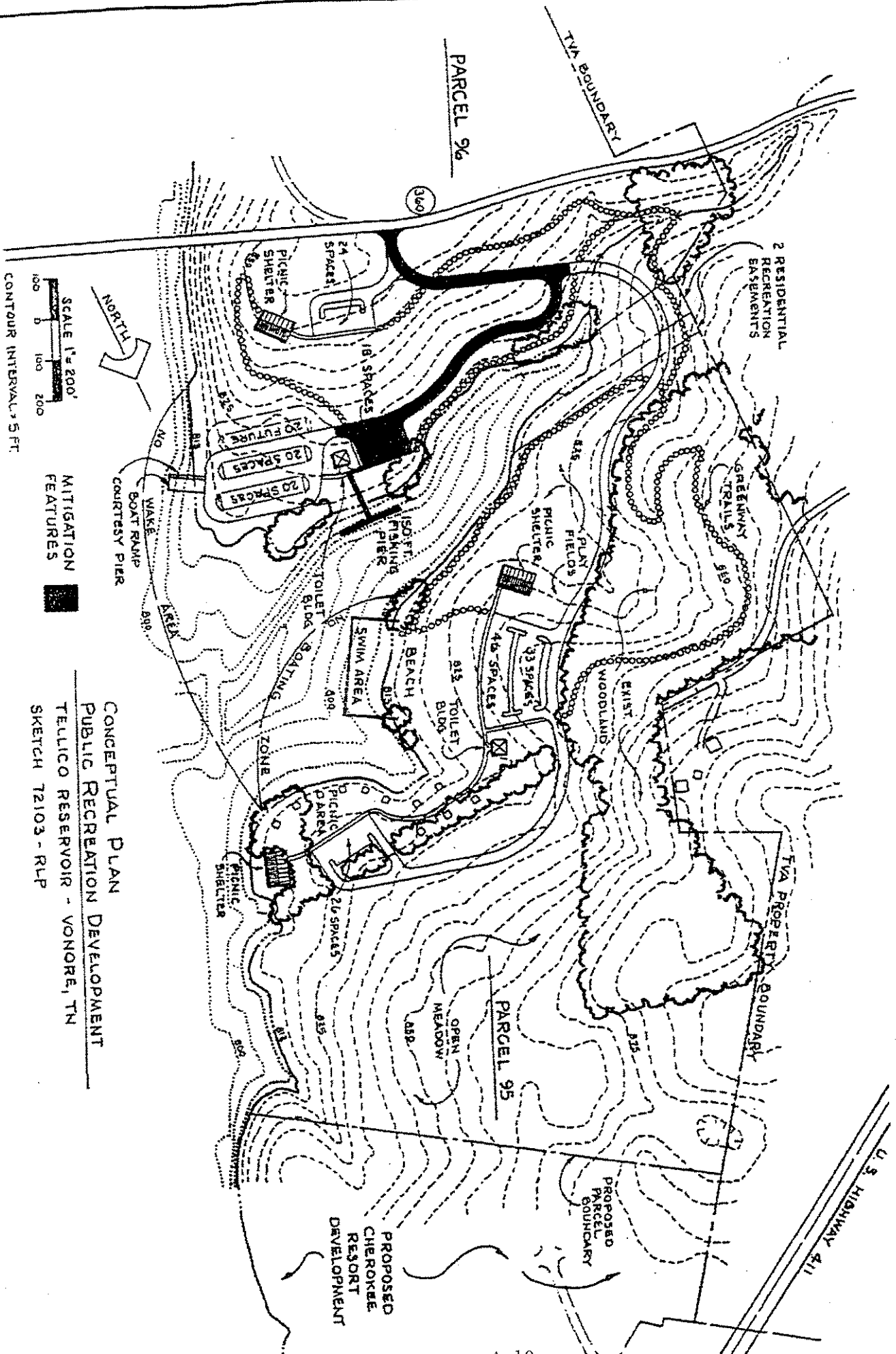




Concrete deck
 Old Bridge
 Breakwater
 Building
 Dock



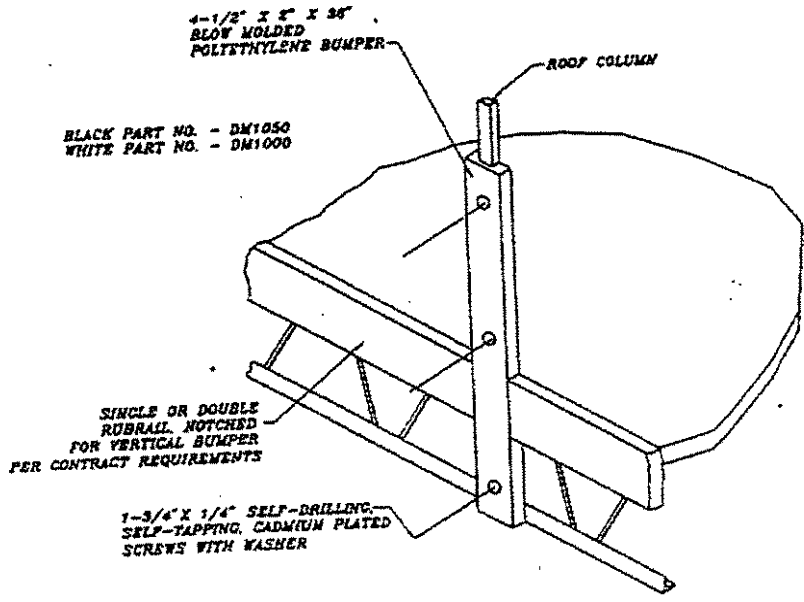




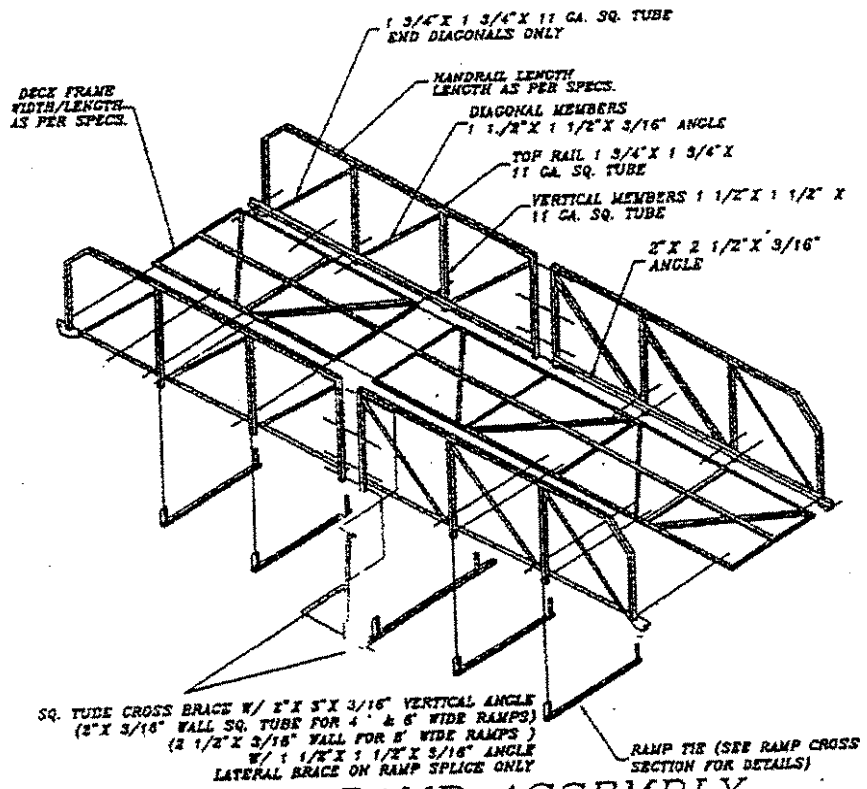
SCALE 1"=200'
 0 100 200
 CONTOUR INTERVAL: 5 FT.

MITIGATION
 FEATURES

CONCEPTUAL PLAN
 PUBLIC RECREATION DEVELOPMENT
 TELlico RESERVOIR - VONORE, TN
 SKETCH 72103 - RLP



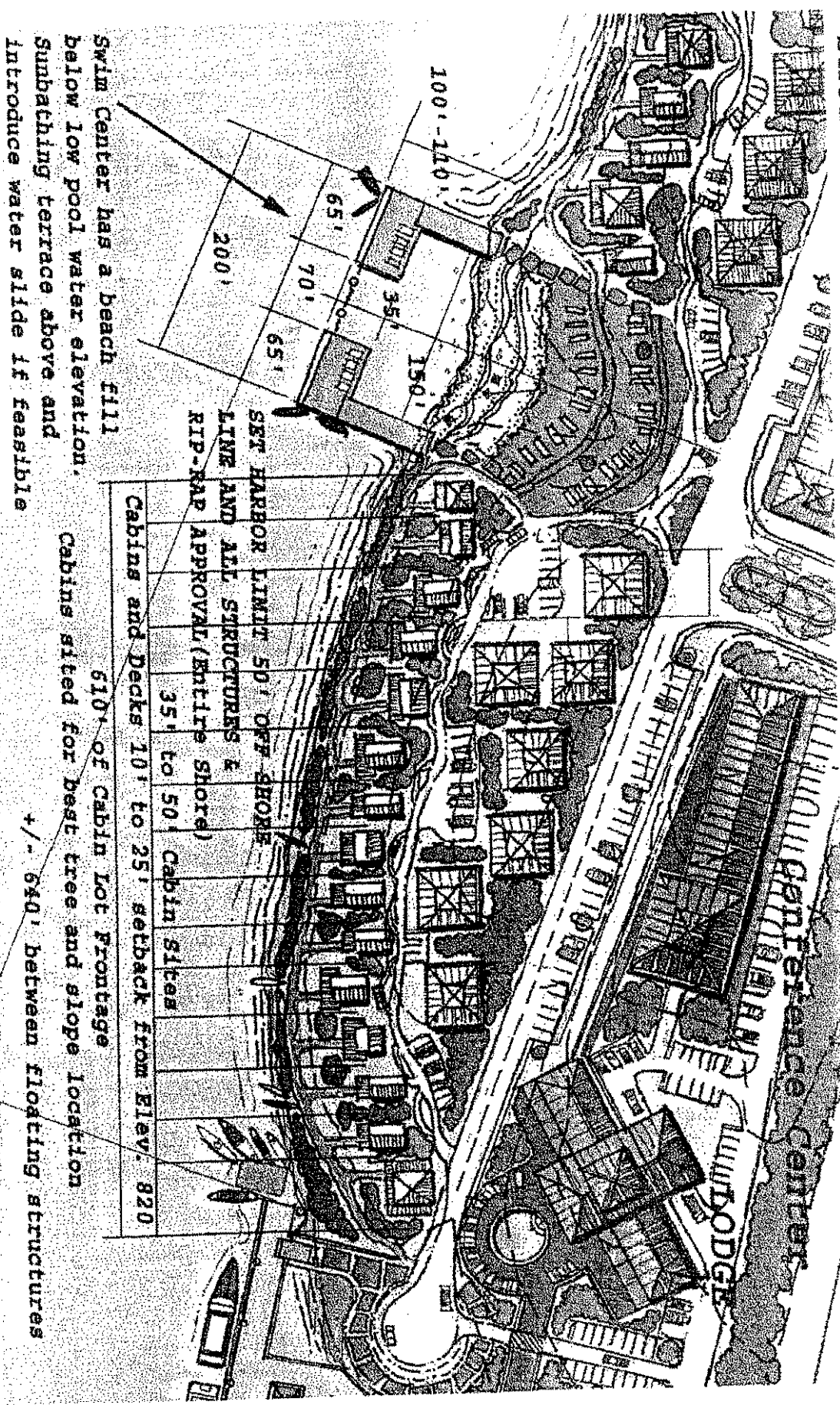
VERTICAL BUMPER 0002-C-R1
REV 12/02/99



BOT

STANDARD RAMP ASSEMBLY 4513-CX-R1
REV. 09/14/98
ALL FASTENERS 1/2" MECHANICALLY GALV.

Shore Cabins and Swim Center Phase One Coastal Elements



Swim Center has a beach fill below low pool water elevation. Sunbathing terrace above and introduce water slide if feasible

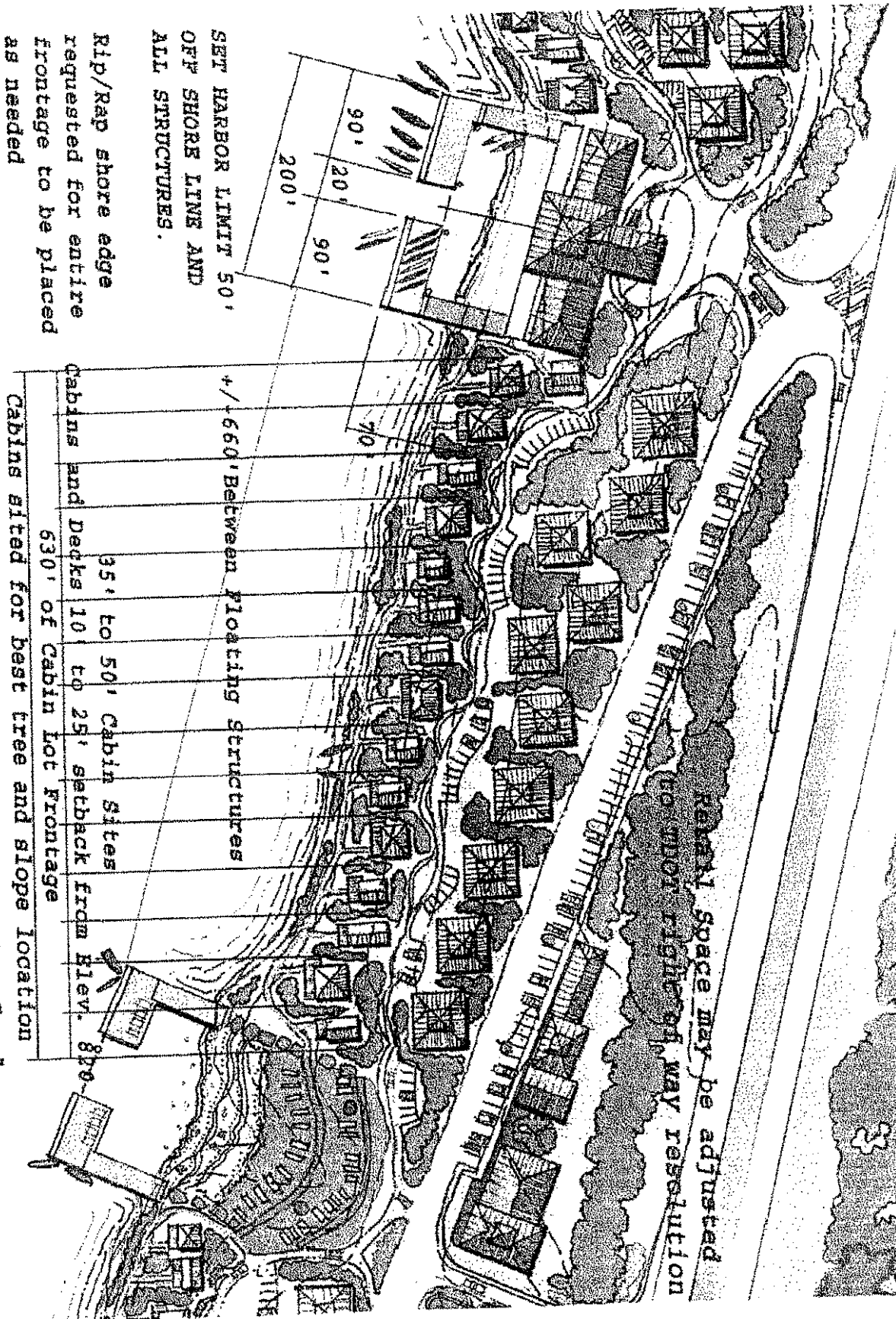
Cabins and Decks 10' to 25' setback from Elev. 820

610' of Cabin Lot Frontage
Cabins sited for best tree and slope location +/- 6'40' between floating structures

SET HARBOR LIMIT 50' OFF SHORE LINE AND ALL STRUCTURES & RIP-RAP APPROVAL (ENTIRE SHORE)

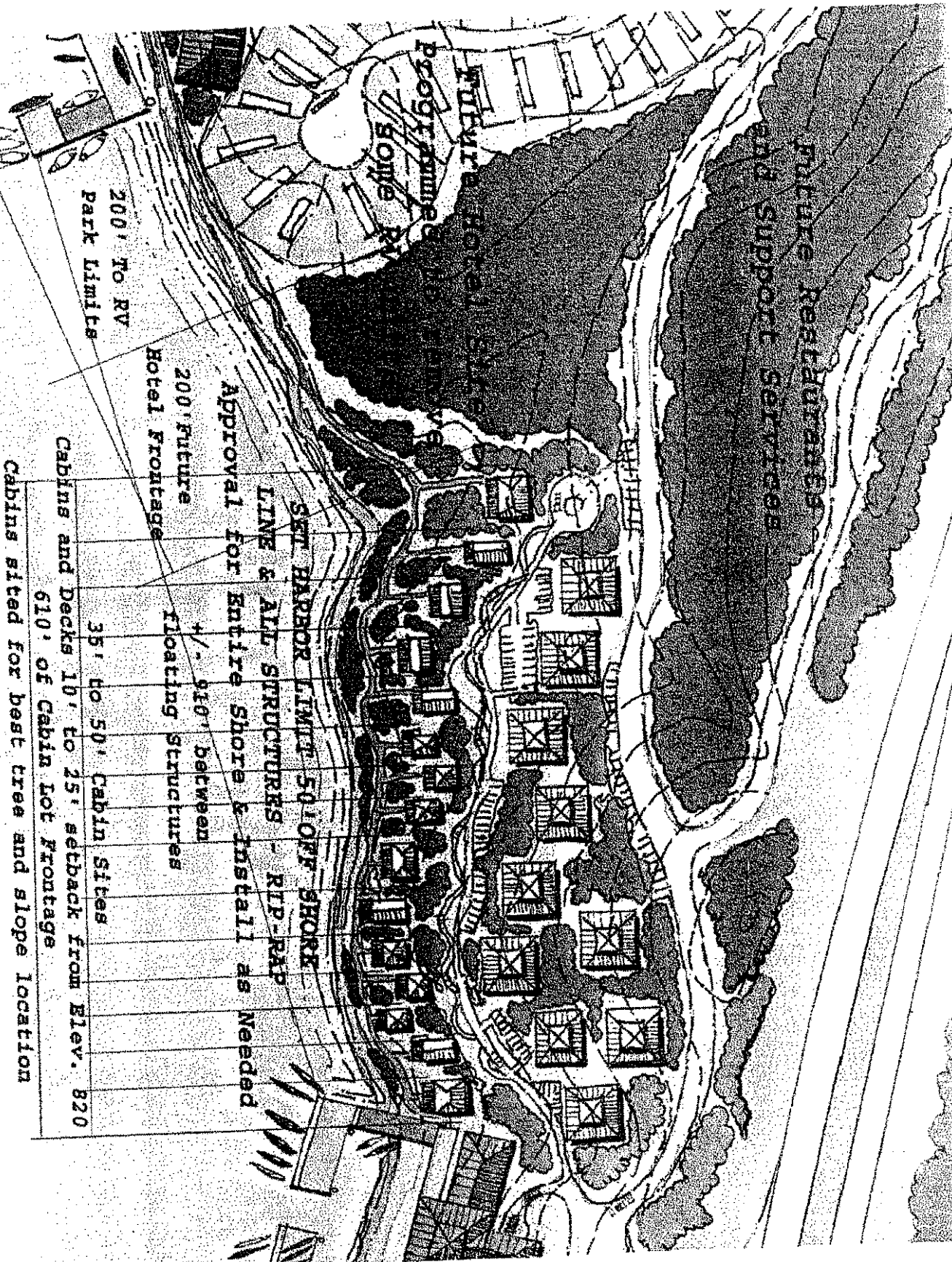
Concept Plan General Locations - Not to Scale
Subject to Field Control & Final Marine Structure Design and TVA/USACE Permitting

Kayak Center & Second Increment of Cabins with Retail Support Center



Concept Plan General Locations - Not to Scale
 Subject to Field Control & Final Marine Structure Design and TVA/USCOE Permitting

Kayak Center to RV Facility Increment Three with Future Hotel Site



Concept Plan General Locations - Not to Scale

Cabins sited for best tree and slope location

Cabins and Decks 10' to 25' setback from Elev. 820

35' to 50' Cabin Sites

4' - 9' between

Floating Structures

Hotel Frontage

Approval for Entire Shore & Install as Needed

LINE & ALL STRUCTURES - RIP-RAP

SET HARBOR LIMIT 50' OFF SHORE

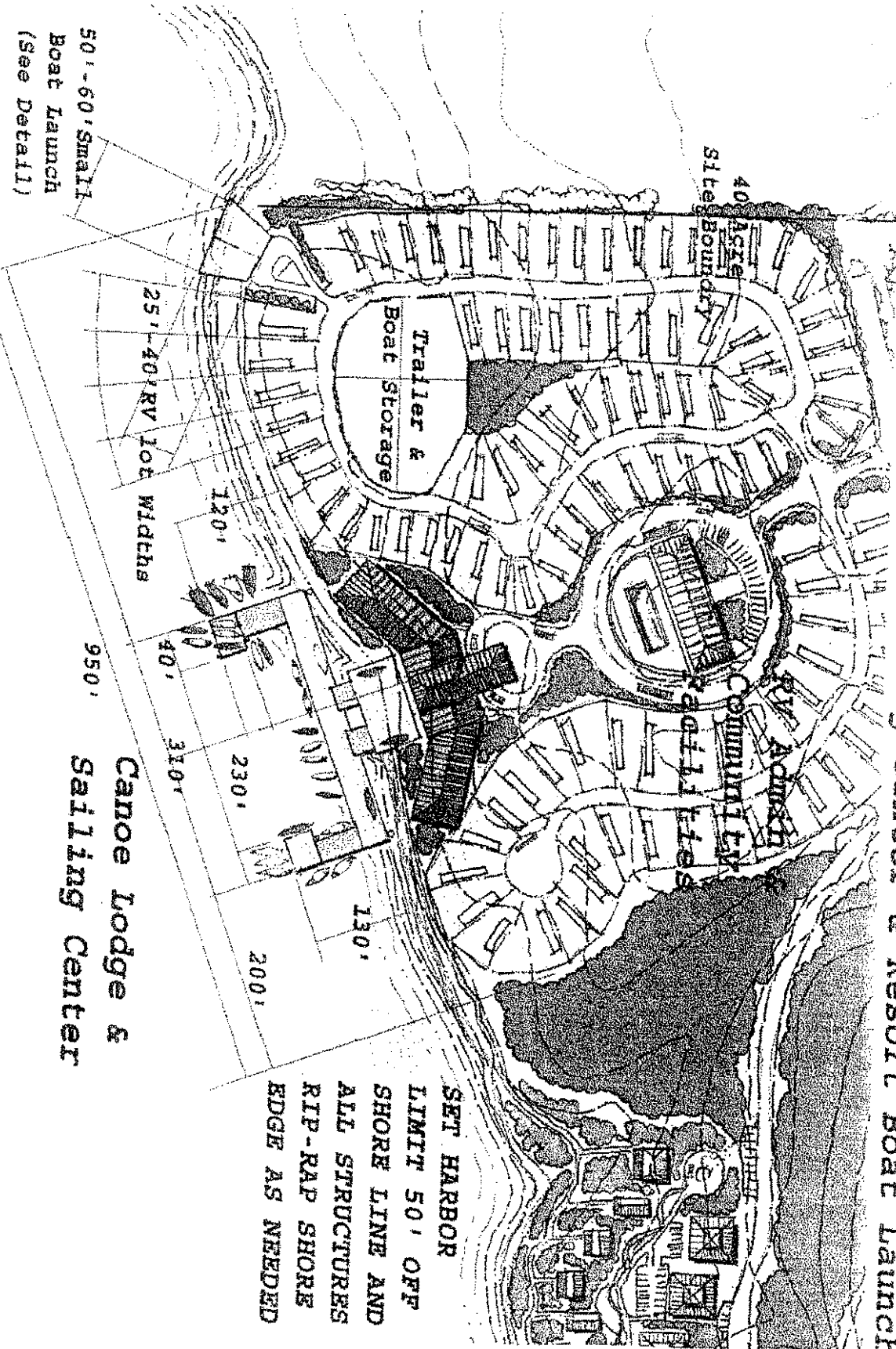
200' Future

Hotel Frontage

200' TO RV

Park Limits

RV Facility with Canoe & Sailing Center & Resort Boat Launch

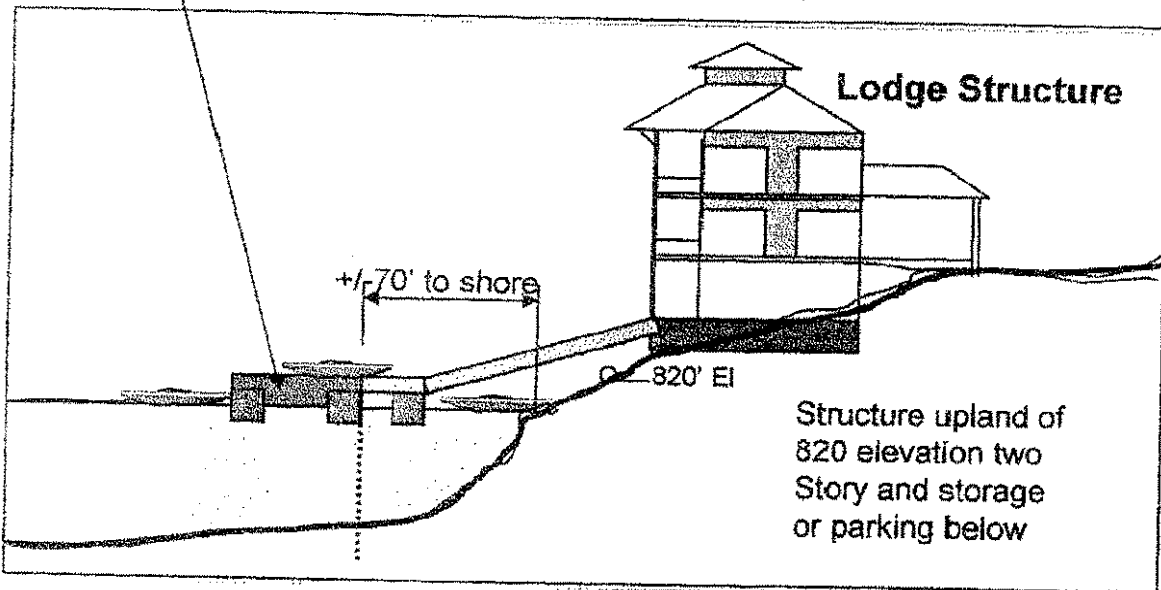
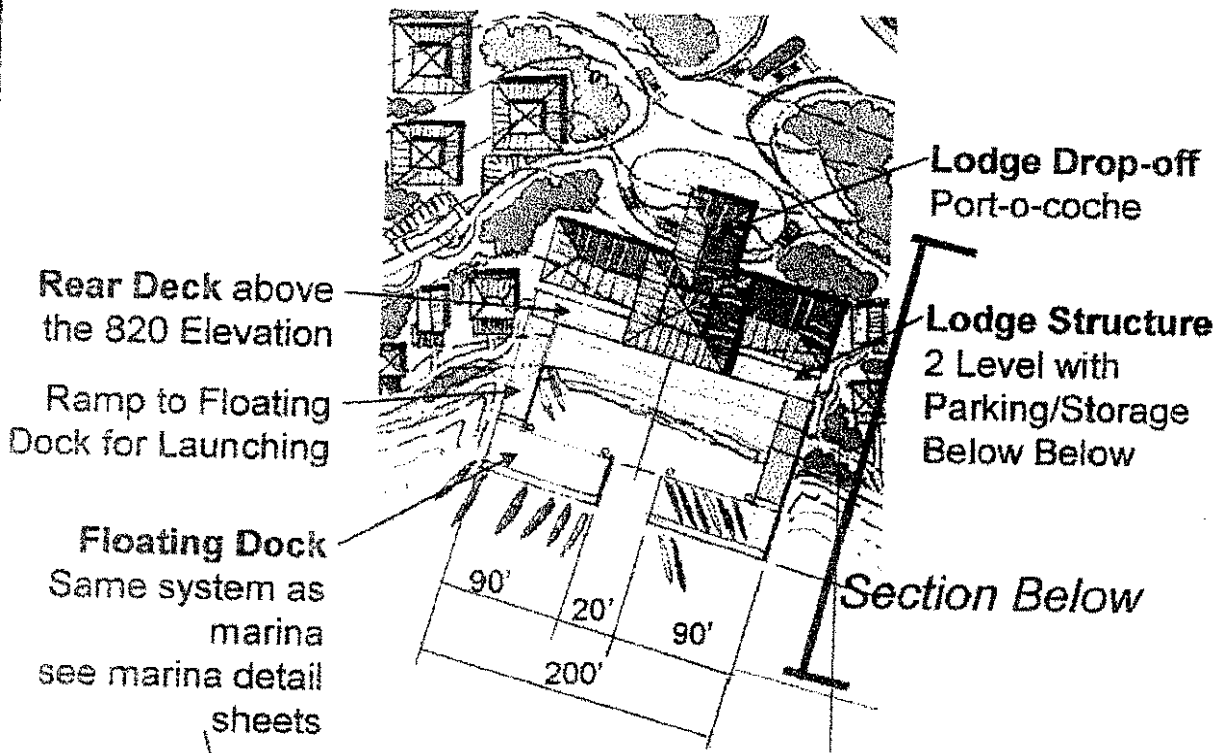


SET HARBOR
LIMIT 50' OFF
SHORE LINE AND
ALL STRUCTURES
RIP-RAP SHORE
EDGE AS NEEDED

Canoe Lodge &
Sailing Center

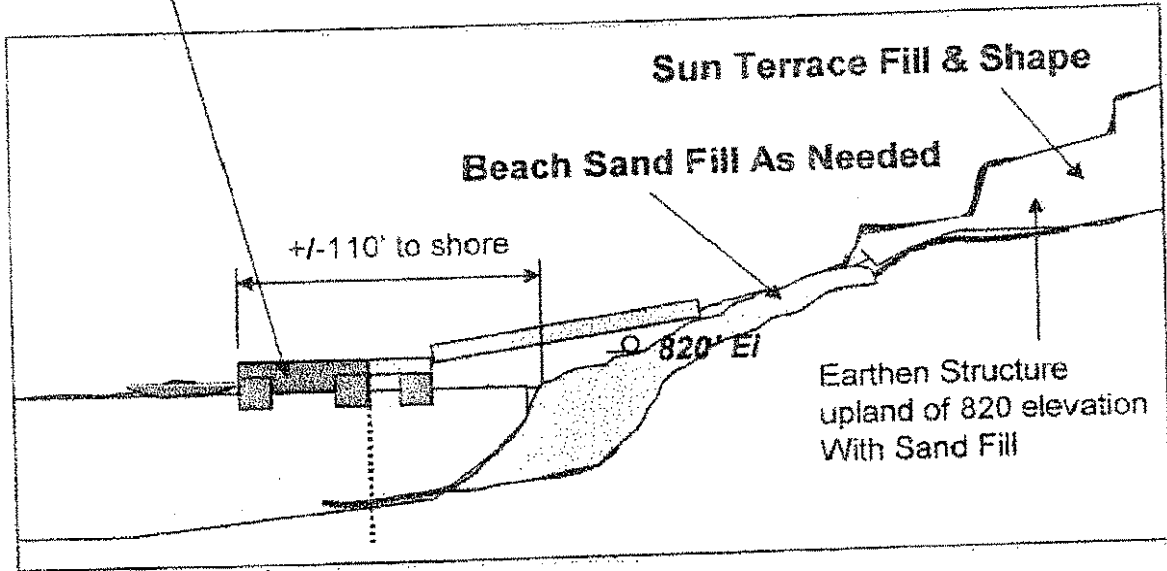
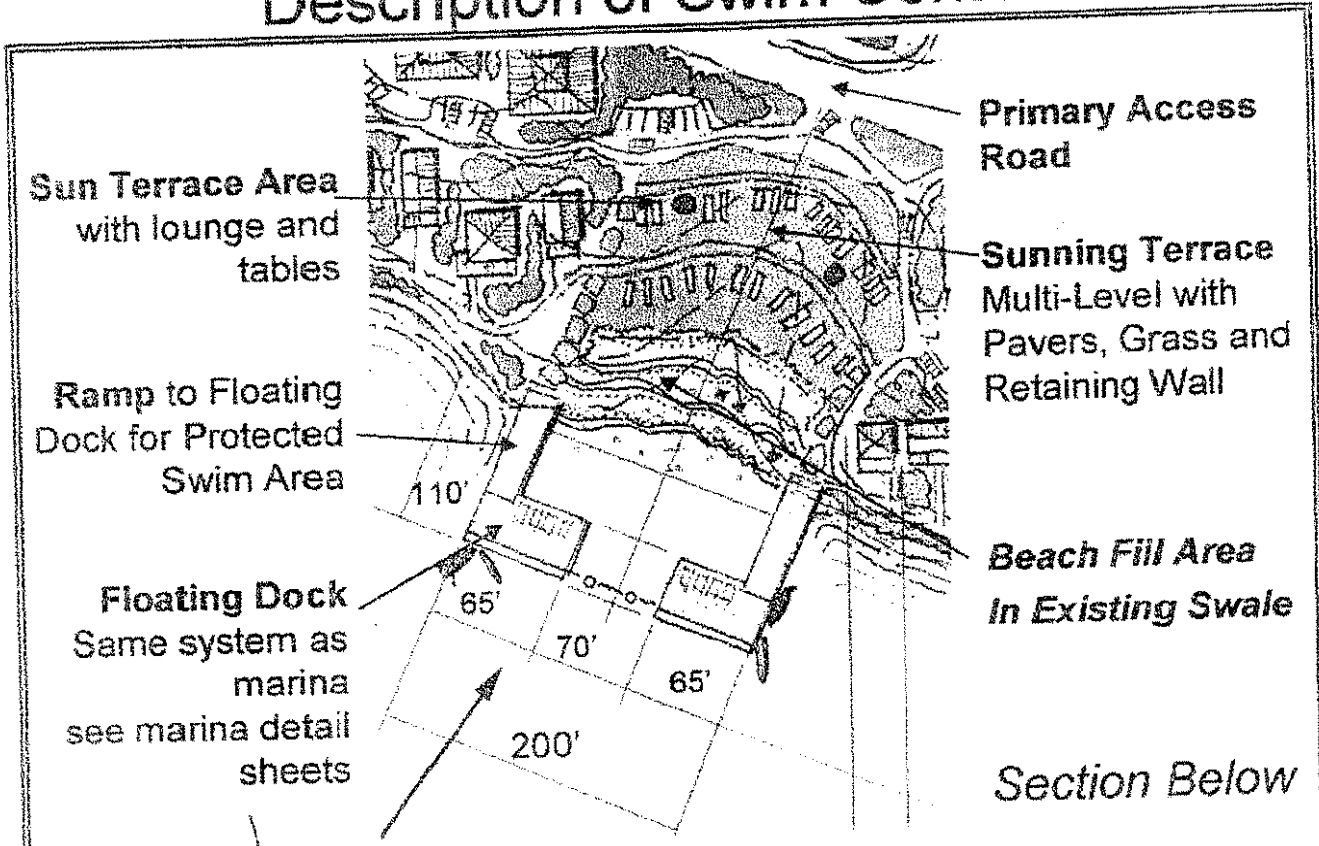
Concept Plan General Locations - Not to Scale
Subject to Field Control & Final Marine Structure Design and TVA/USACE Permitting

Description of Kayak Center



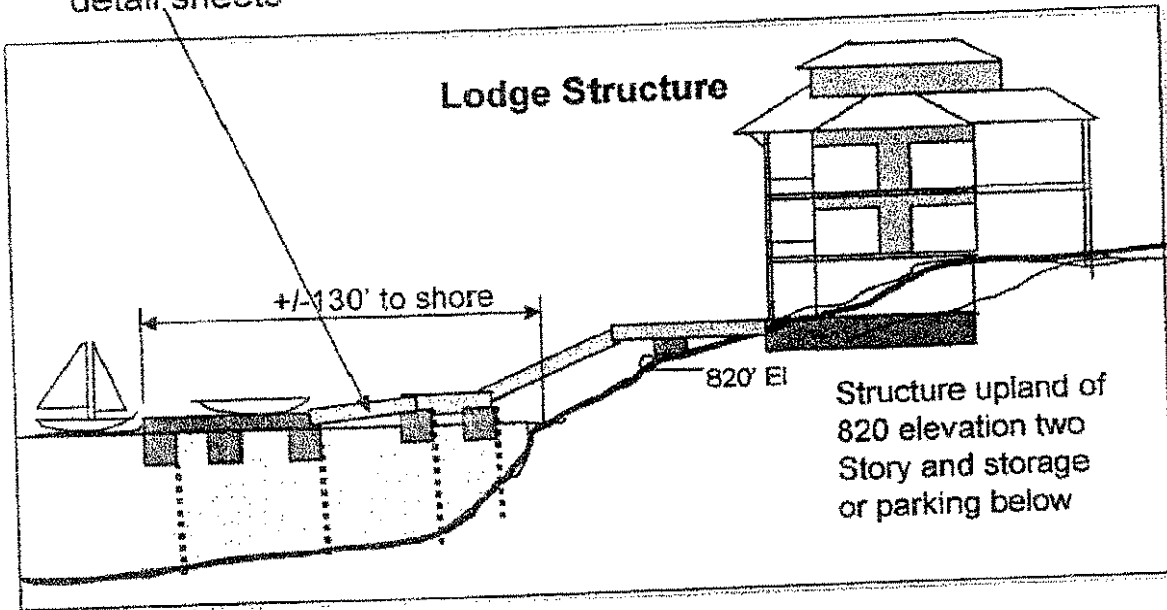
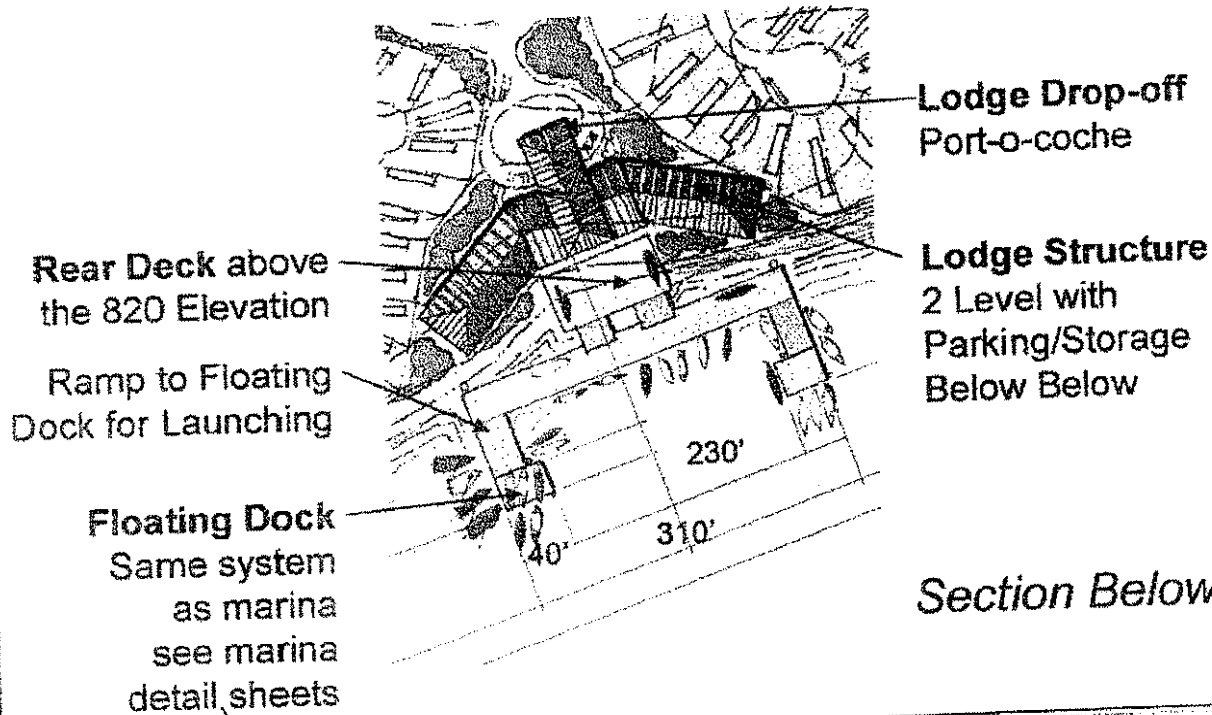
SEQUOYAH LODGE & LAKE RESORT - LAKE TELlico
 A project of the Eastern Band of the Cherokee Indians
 & The Overhill Development Company

Description of Swim Center



SEQUOYAH LODGE & LAKE RESORT - LAKE TELlico
 A project of the Eastern Band of the Cherokee Indians
 & The Overhill Development Company

Description of Canoe/Sail Center



SEQUOYAH LODGE & LAKE RESORT - LAKE TELlico
 A project of the Eastern Band of the Cherokee Indians
 & The Overhill Development Company

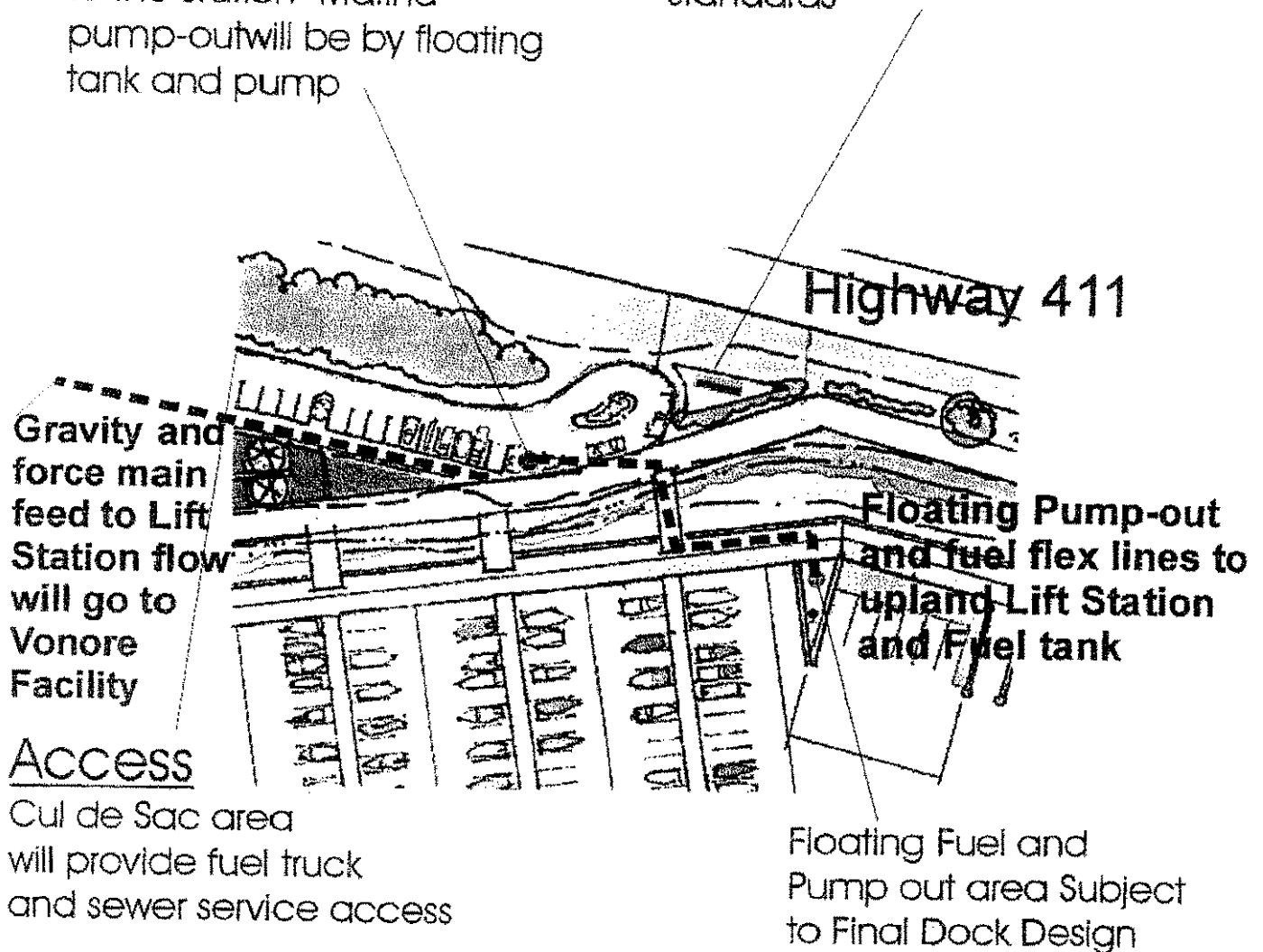
Description of Fuel and Pump-out Facilities

Lift Station

Sized by future wastewater design for the entire project
Site sewer will flow by gravity and force main to the station- Marina pump-out will be by floating tank and pump

Elevated Fuel Tank

To meet Tenn DOT and TVA Standards -Sized to service rental and transient demand
All materials and connections will meet fuel facility safety standards



Access

Cul de Sac area will provide fuel truck and sewer service access

SEQUOYAH LODGE & LAKE RESORT-LAKE TELlico

A project of the Eastern Band of the Cherokee Indians
& Overhill Development Company

ROOF LINE

1:8 PITCH

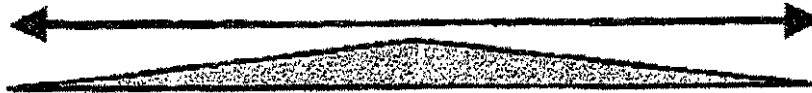
30' SLIPS

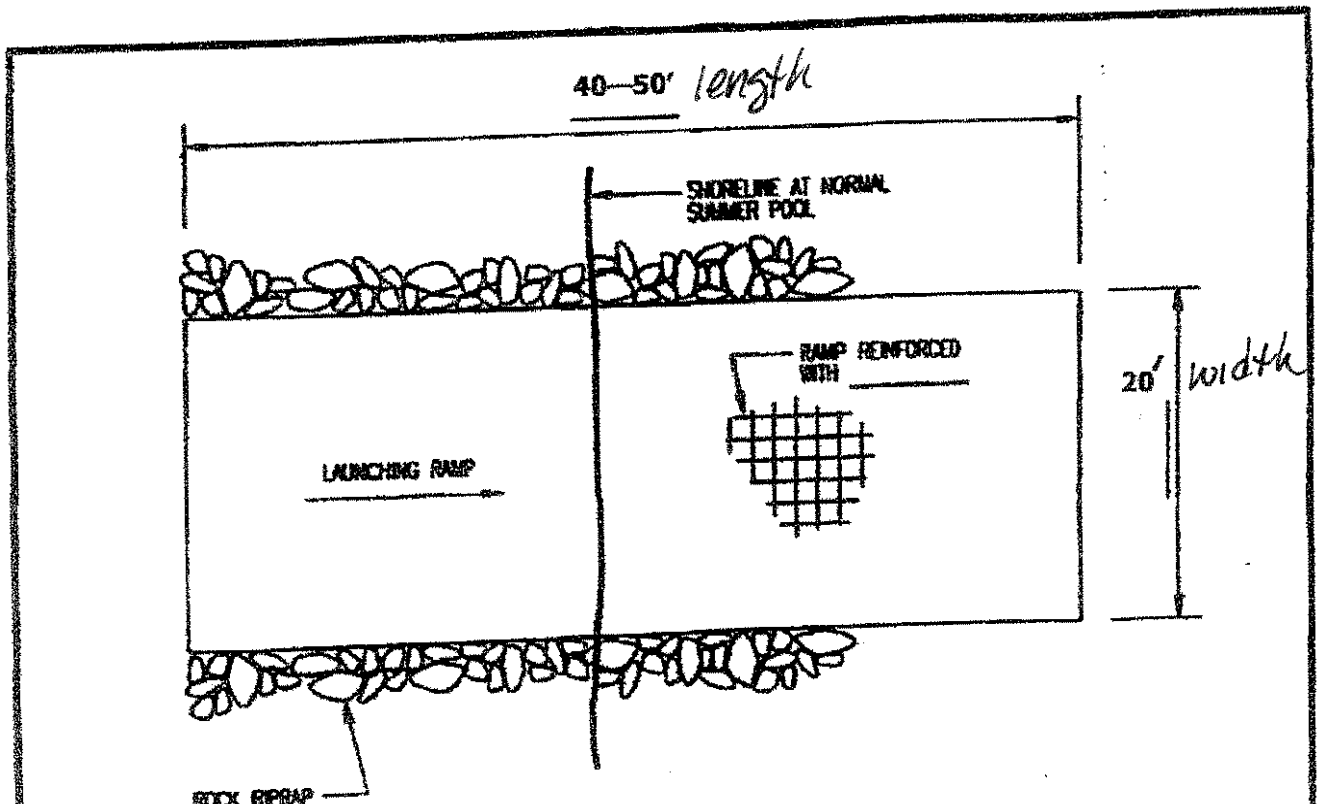
66'



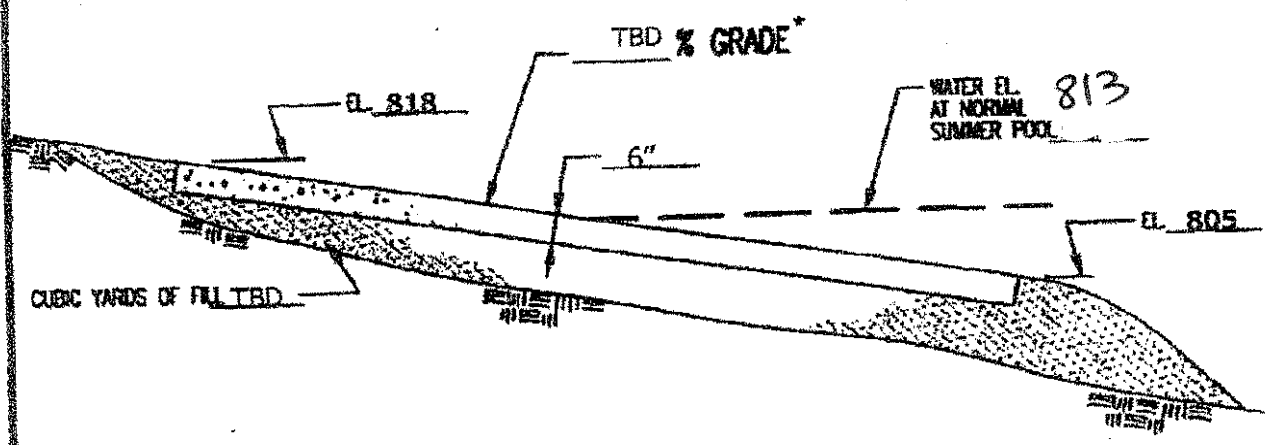
40' SLIPS

86'





PLAN



SECTION THRU CONCRETE RAMP

(Field details to be determined)

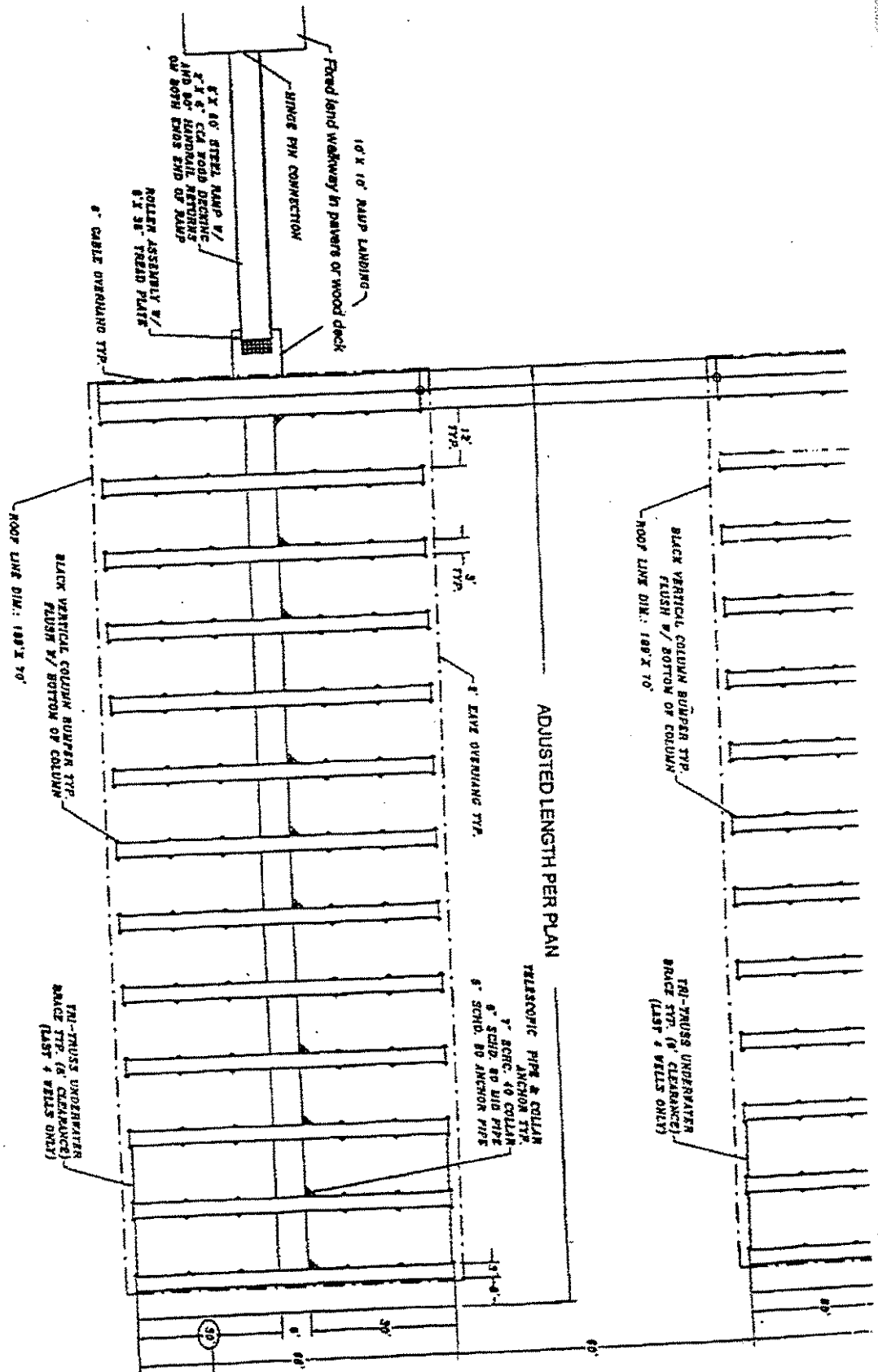
THE NORMAL SUMMER WATER LEVEL IS: 812

NOTE:
INCLUDE ALL DIMENSIONS AND ELEVATIONS WHERE INDICATED.

*IN ACCORDANCE WITH INDUSTRY STANDARDS, A SLOPE BETWEEN 12% AND 15% IS RECOMMENDED

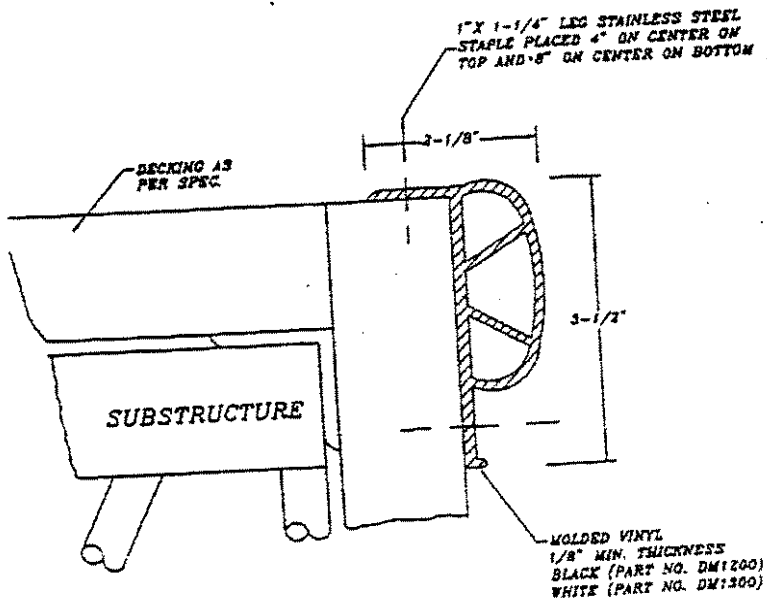
SEQUOYAH LODGE RAMP	
TYPICAL CONCRETE RAMP DETAIL	
PROJECT LOCATION INFORMATION:	
STREAM NAME _____	SUBDIVISION NAME _____
RESERVOIR NAME <u>Tejico Lake</u>	LOT NUMBER _____
MILE MARKER _____	MAP NO. _____
(APPLICANT'S NAME) Overhill Development Company	

TYPICAL PLAN VIEW

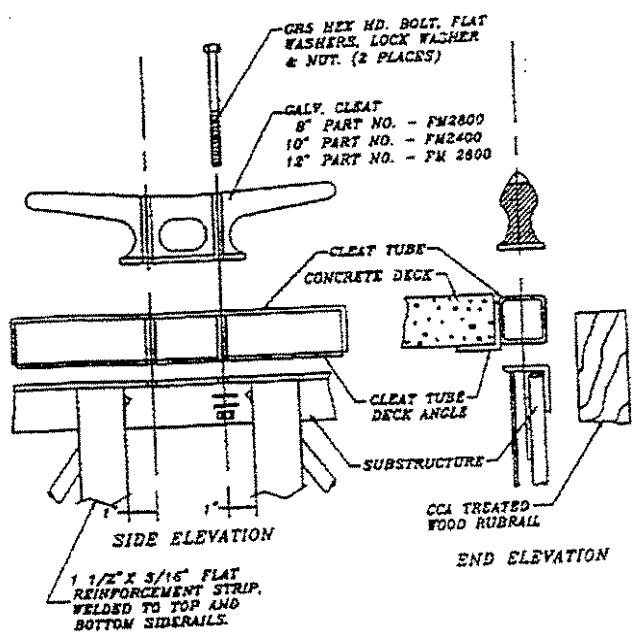


DOCK 1

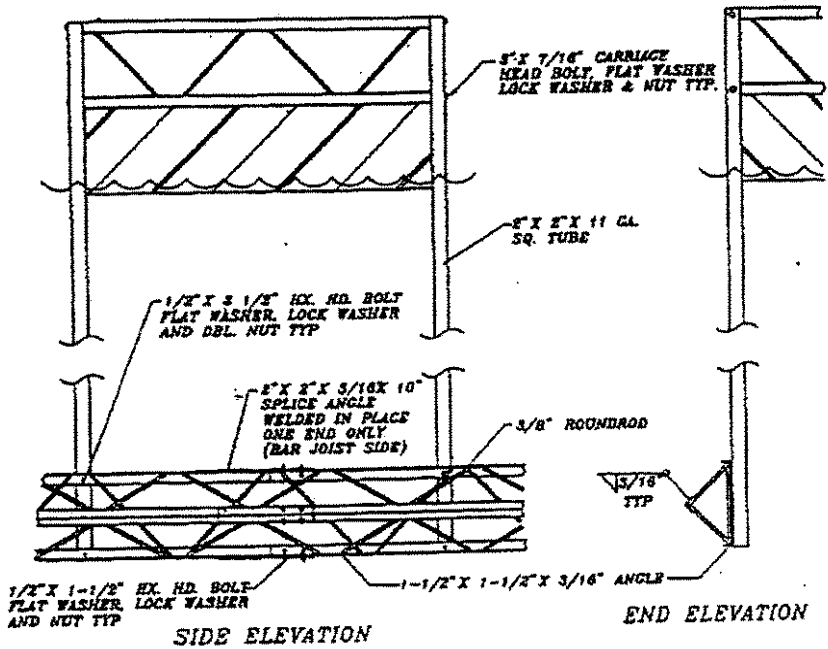
Typical Dock Plan
30' & 40' slip enti-
ties will get break-
water added for 12
foot width.



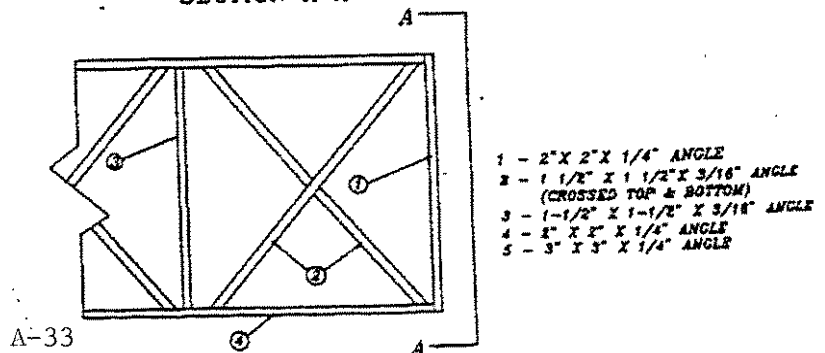
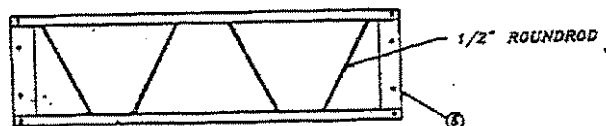
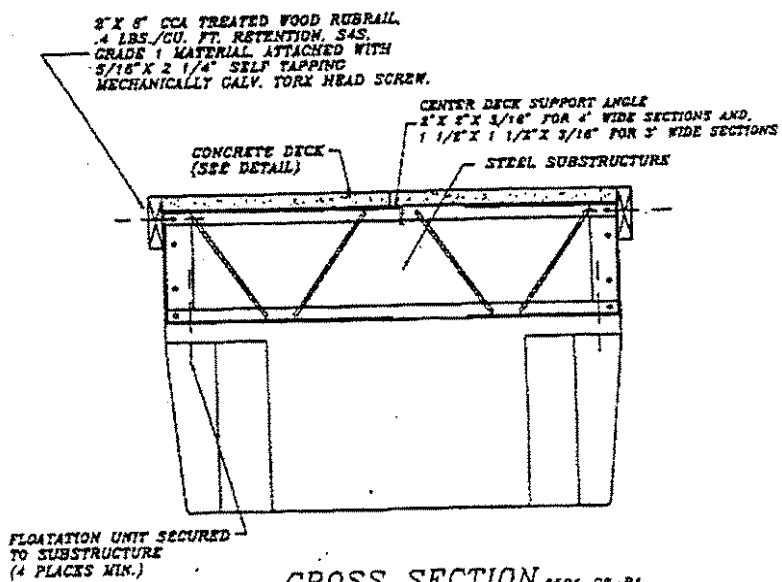
HORIZONTAL PADDING 0011-C
DETAIL

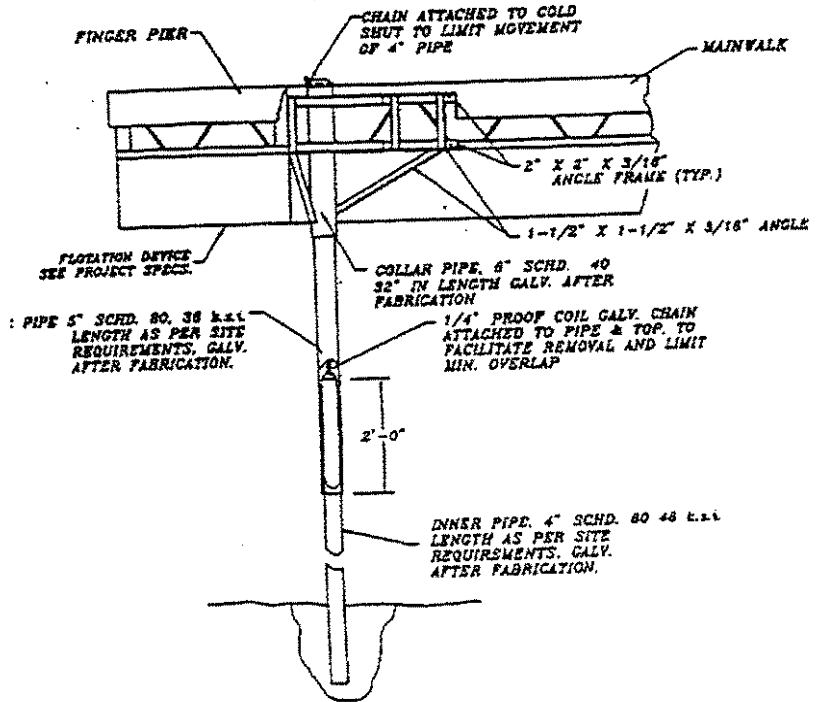


HEAVY DUTY CLEAT REINFORCEMENT 0021-C



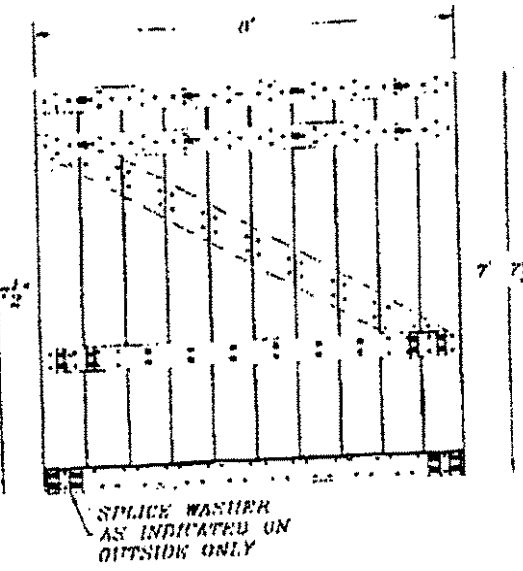
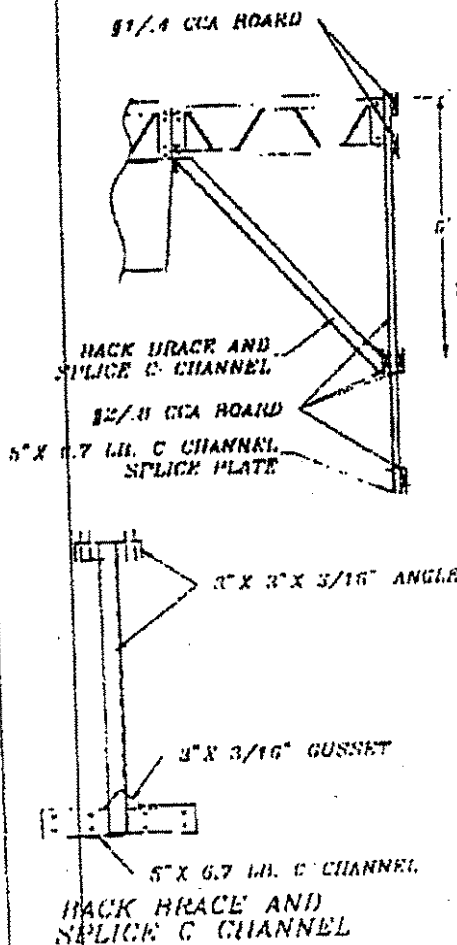
TRIANGULAR TRUSS TYPE UNDERWATER BRACE 2002-C





**HEAVY DUTY TELESCOPIC
 PIPE & COLLAR ANCHOR** 0503-C

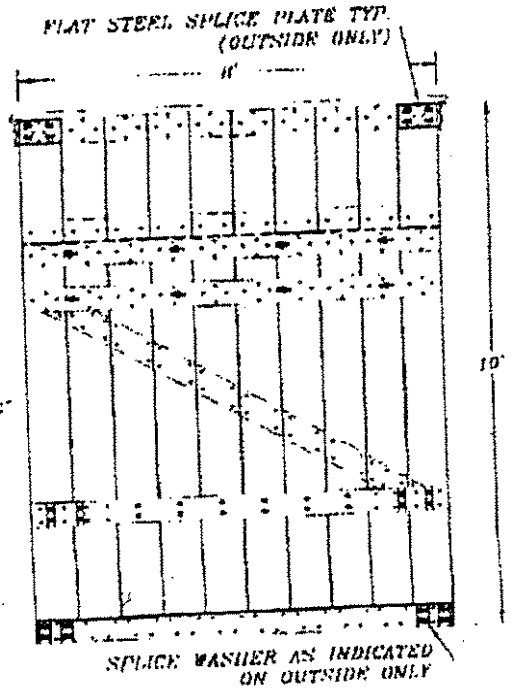
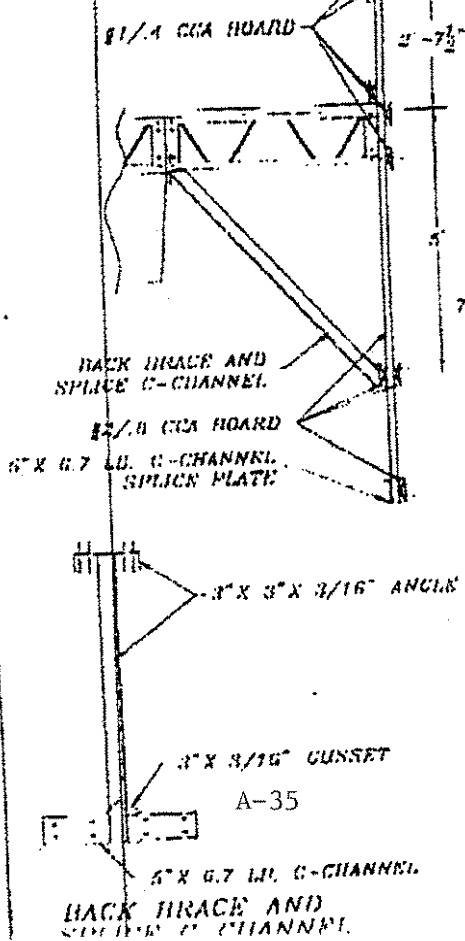
LEGEND FOR GCA LUMBER
#2/S - GRADE/% RETENTION



PLAN VIEW

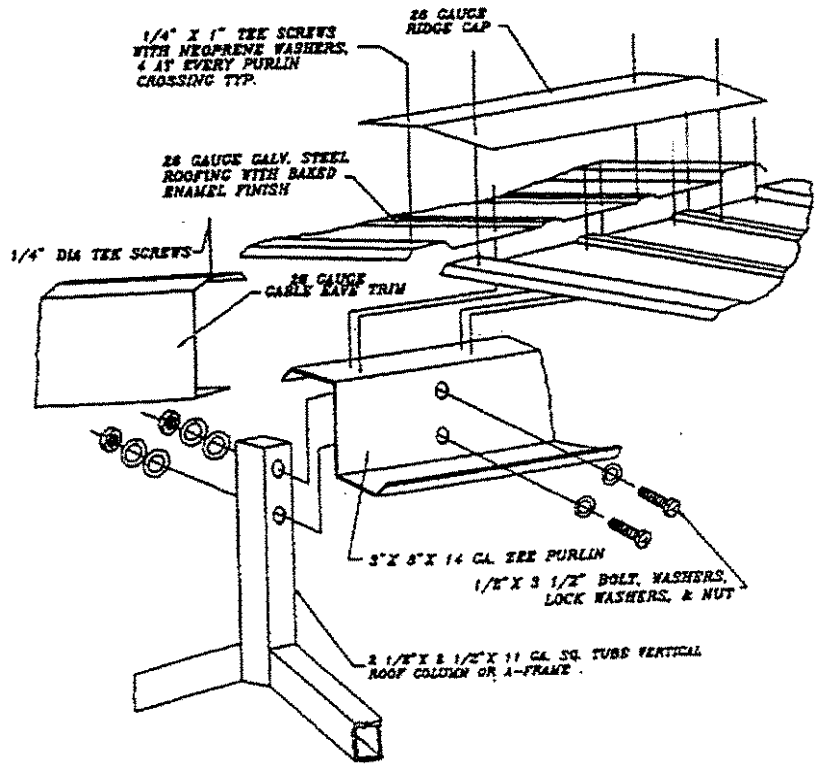
() = 1/2" X 4 1/2" HEX HEAD BOLT
 () = 1/2" X 1/2" WOOD SCREW
 () = 1/2" X 6" HEX HEAD BOLT
 (ALL WOOD JOINTS GLUED)
**7'-7 1/2" X 8' WOOD
WAVE PANEL** 3009-C 101
 GALVA FOAM MARINE IND.
 ROUTE 67 BOX 19
 CAMBENTON, MO. 65020
 573-346-3323

LEGEND FOR GCA LUMBER
#2/S - GRADE/% RETENTION



PLAN VIEW

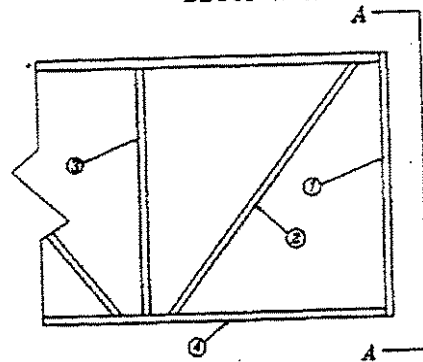
() = 1/2" X 4 1/2" HEX HEAD BOLT
 () = 1/2" X 1/2" WOOD SCREW
 () = 1/2" X 6" HEX HEAD BOLT
 (ALL WOOD JOINTS GLUED)
**8' X 10' WOOD
WAVE PANEL** 3009-C
 UNV. 11/02/09
 GALVA FOAM MARINE IND.
 ROUTE 67 BOX 19
 CAMBENTON, MO. 65020
 573-346-3323



SUPERSTRUCTURE 4501-11-C-R2
 ROOF PEAK ASSEMBLY 9/14/78



SECTION A A



- 1 - 1-1/2" X 1-1/2" X 3/16" ANGLE
- 2 - 1" X 1" X 3/16" ANGLE BOTTOM ONLY
- 3 - 1-1/2" X 1-1/2" X 3/16" ANGLE
- 4 - 1-1/2" X 1-1/2" X 3/16" ANGLE
- 5 - 3" X 1" X 3/16" ANGLE

STANDARD SUBSTRUCTURE 4507-CX
 OPTION 2

**RESOURCE STEWARDSHIP
LAND USE AND SECTION 26a COORDINATION FORM**

**Little Tennessee Watershed Team
TVA Land / Landrights Request**

Date Application Received: <u>4-15-2003</u>		RLR Numbers
Coordinated By: <u>Janet L. Duffey</u>	Telephone: <u>(865) 988-2460</u>	26a: <u>138673</u>
Date Coordinated: <u>4-23-2003</u>	<input type="checkbox"/> Charge <input checked="" type="checkbox"/> No Charge	Land Use: <u>138677</u>
		CEC: <u>3664 and 3662, resp</u>

TO	Due Date	TO	Due Date
<input checked="" type="checkbox"/> K. H. Hammond, WT 10D-K	May 23, 2003	<input checked="" type="checkbox"/> G. E. Peck, NRB 3D-N	May 23, 2003
<input type="checkbox"/> M. E. McCombs, WT 11B-K	May 23, 2003	<input checked="" type="checkbox"/> A. E. Howard, NRB 3C-N	May 23, 2003
<input checked="" type="checkbox"/> N. F. Steuer, SP 3L-C	May 23, 2003	<input checked="" type="checkbox"/> J. W. Phillips, SB 1H-M	May 23, 2003
<input checked="" type="checkbox"/> R. A. Milstead, WT 10C-K	May 23, 2003	<input checked="" type="checkbox"/> C. H. Ellenburg, HWY 1A-LCT	May 23, 2003
<input checked="" type="checkbox"/> J. K. Pulver, SP 3L-C TS_PI_RR (3 services requested)	May 23, 2003	<input checked="" type="checkbox"/> W. K. James, HWY 1A-LCT	May 23, 2003
<input checked="" type="checkbox"/> D. P. Sluss, MR 4B-C (2 copies) S_MD (all services requested)	May 23, 2003	<input checked="" type="checkbox"/> M. M. McCreedy, LM 1A-MHH	May 23, 2003
<input checked="" type="checkbox"/> B. M. Child, WT 5D-K		<input checked="" type="checkbox"/> W. C. Peebles, NRB 2A-N	May 23, 2003
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	

Applicant EASTERN BAND OF THE CHEROKEE INDIANS		Location (On/Off Reservoir) On Reservoir/Regulated Stream	
Reservoir TELLICO RESERVOIR	D/C Stage Map 19C	Quad Sheet 139SW	Nav Chart
Tract No. Assigned to Proposed Action by RA XTTELR-43RE		River/Stream Name/Mile/Bank TELLICO RIVER MILE 0.5L	
Proposed Action Easement		Term of Proposed Action 40 YEARS	
Legal Authority for Property Disposal 40 U.S.C. Sec. 1314		Location (County/State) VONORE, MONROE COUNTY, TENNESSEE	
Proposed Project Start Date WHEN APPROVED		Proposed Project End Date Phased construction	

Description of Proposed Action:

(For requests that require Board approval, please provide the following information: 1) Specific action being requested and approximate number of acres affected, 2) why the applicant has requested the action, 3) what the expected result of the action is, 4) description of the physical characteristics of the proposed action's boundary, 5) assessment of economic impacts, and 6) justification for action, from TVA's and the applicant's perspective.)

EBCI requests a 40 year easement over approx 40 acres for construction of a resort to generate revenue to support the Friends of Sequoyah Museum. The property is a long narrow tract of gentle to moderate slope. Economic benefits beyond the museum include increased area tourism, job availability and additional recreation opportunities. The current easement to TRDA for the existing boat ramp and fishing pier will be superceded by this action.

<input checked="" type="checkbox"/> TVA Fee Land Involved: <u>Planned</u> Use <u>Recreation</u> Tract No. <u>TELR-1903,-1906, a portion of -1911, and XTELR-17RE</u> <input checked="" type="checkbox"/> Sale/Transferred Land: To Elevation <u>straight line</u> <input type="checkbox"/> Flowage Easement Involved: To Elevation _____ <input type="checkbox"/> Non-Discriminatory Review - (FAP - Title 6)	<input type="checkbox"/> CERCLA Review Required (Coordination Sheet, CERCLA Form, and Location Map) <input type="checkbox"/> General Counsel (M. T. Hamblen, ET 10A-K) <input type="checkbox"/> Realty Services (J. K. Pulver, SP 3L-C) <input type="checkbox"/> River Operations (C. A. Davis, SP 1D-C)
--	--

- cc:
- | | |
|---|--|
| <input checked="" type="checkbox"/> R. L. Curtis, Jr., NRB 3A-N (26a only) | <input checked="" type="checkbox"/> R. D. Davis, Sr., WT 10D-K (26a only) |
| <input checked="" type="checkbox"/> H. M. Draper, WT 8C-K (Attachments) | <input checked="" type="checkbox"/> U.S. Army Corps of Engineers (Attachments) |
| <input checked="" type="checkbox"/> B. L. Crosby, SB 1H-M | <input checked="" type="checkbox"/> Files, LTWT |
| <input checked="" type="checkbox"/> C. M. Robinson, NRB 2A-N (Land Request Only) | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> B. B. Walton, ET 11A-K (Land Request Only) | |
| <input checked="" type="checkbox"/> H. E. Standridge, SP 3L-C (Land Request Only) | |



TENNESSEE VALLEY AUTHORITY APPLICATION FORM LAND USE

Tennessee Valley Authority (TVA) Resource Stewardship receives several hundred requests annually for use of TVA land or landrights. Please fill out this application completely. TVA has implemented a cost recovery system so that those who benefit directly from the use of public lands reimburse TVA for its total cost. The appropriate initial payment or standard fee must be included with your application. You will be billed for any additional costs for those actions that exceed the initial payment. Please see the attached sheet *TVA Land Transaction Fees* for additional information. If you have any questions, please call your local TVA Resource Stewardship Watershed Team.

<p>1. Name and Mailing Address of Applicant: Eastern Band Cherokee Indians Leon Jones, Principal Chief 88 Council House Loop, PO Box 455 Cherokee, NC 28719 (828) 497-2771</p>	<p>2. Name, Address, and Title of Authorized Agent: (i.e., builder, engineer.) <i>Include a letter confirming your authorization.</i> <u>Richard Gehring, ODC Member</u> <u>748 Broadway, Ste 202, Dunedin, FL 34698</u> Telephone Number: Home <u>727-480-7684</u> Office <u>727-734-1966</u></p>
--	--

<p>3. Location: <i>Attach a location map and a map showing boundaries of TVA land needed.</i> Subdivision: <u>Tellico River/411ushwy</u> Lot Number: _____ Reservoir: <u>Tellico</u> River: <u>Tellico River Mile: _____</u> xttelr-17re, telr-1903, telr-1906 1/2 of telr-1911-marno-19c</p>	<p>4. Type of Land Use Required: <i>Please call your local TVA Resource Stewardship Watershed Team (WT) listed on page 2 to help us determine the appropriate TVA action needed.</i></p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Approval by TVA WT: <input checked="" type="checkbox"/> Land Use Permit <input type="checkbox"/> License Agreement <input type="checkbox"/> Sufferance Agreement (Complete page 1 only)</p> </td> <td style="width: 50%; vertical-align: top;"> <p>Approval by TVA Board: <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Deed Modification <input type="checkbox"/> Lease (____ years needed) <input type="checkbox"/> Abandonment <input type="checkbox"/> Land Transfer</p> </td> </tr> </table>	<p>Approval by TVA WT: <input checked="" type="checkbox"/> Land Use Permit <input type="checkbox"/> License Agreement <input type="checkbox"/> Sufferance Agreement (Complete page 1 only)</p>	<p>Approval by TVA Board: <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Deed Modification <input type="checkbox"/> Lease (____ years needed) <input type="checkbox"/> Abandonment <input type="checkbox"/> Land Transfer</p>
<p>Approval by TVA WT: <input checked="" type="checkbox"/> Land Use Permit <input type="checkbox"/> License Agreement <input type="checkbox"/> Sufferance Agreement (Complete page 1 only)</p>	<p>Approval by TVA Board: <input checked="" type="checkbox"/> Easement <input type="checkbox"/> Deed Modification <input type="checkbox"/> Lease (____ years needed) <input type="checkbox"/> Abandonment <input type="checkbox"/> Land Transfer</p>		

5. Proposed Time Schedule for your Project:

Start date: January 2004 Projected completion date: phased 2004-2008

6. Describe your project, its purpose and intended use:
 Describe the proposed development, on or off TVA land. Include a general description of proposed structures to be erected and land disturbance including vegetation removal, fills or excavations. Attach a copy of detailed plans as appropriate.

see survey data, constraints & opp graphic & masterplan graphic, Investment & Development tables

7. Will federal assistance be used as part of this project? Yes No If yes, describe activity and complete Applicant Information, Pre-Award Form.

not at this time, but we may pursue funding and grant programs as available

8. Authorization for TVA to process your application:
 Application is hereby made for approval of the land use described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

PAYMENT TERMS: Payment for Land Transaction Fees and any related costs are due Net 30 days from the date of invoice. On any overdue payment, TVA shall charge interest at the rate payable by TVA under the United States Prompt Payment Act (31 U.S.C. §§3901-3906), from the date payment is due until the date TVA receives payment. Payment of interest shall be due within 30 days after TVA's invoice for such interest is dated. Failure by the Customer to pay all invoices within ninety (90) days after payments are due shall constitute a material breach of this agreement and can result in forfeit of any paid processing fees.

26A Short Code: 0011735
 Expense 00144KJ
 Basemt Short Code: 00108100
 Revenue 0004X6C

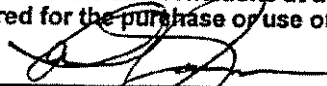
26A RLR# 138673 ccc 3664
 Expense RLR# 138677
 ccc 3662

PAID
\$5,000.00
 APR. 2002

8. Authorization (continued)

I understand TVA charges a standard fee for minor land actions, and that full cost recovery is required for all other actions. I understand and agree to pay all of TVA's costs associated with the processing of this application (if it is not a minor land action cover by the standard fee), and that the standard fee or initial processing fee is nonrefundable and does not guarantee TVA approval; that TVA may impose terms and conditions at the time of approval; and that these fees are in addition to any payment that may be required for the purchase or use of TVA land.

4-14-03
Date


Signature of Applicant

9. Anticipated Economic Impacts of your Project:

A. Projected cost estimate and funding source (if project is to be completed in phases, please include time schedule and costs for each phase):

see: Development Investment Table

B. Number of jobs to be created - Near - Term (including construction) 100
Long - Term 500

C. Negative socioeconomic impacts considered:
None Identified

D. Expected public and investor benefits:
Public Benefit: Eastern Band Cherokees, Sequoyah Birthplace Museum, Monroe County tourism, improved water access, Economic Development increased jobs, Benefit to market image. Investor: Cash Flow

10. Describe Anticipated Environmental Impacts: (Include copies of reviews, assessments, or letters from federal or state agencies) NEPA impact study to be performed at a later date; not part of this submittal, Easement & land-use only. (see attached list of potential environmental issues)

11. Alternative Site(s) Considered: (Include justification for rejecting alternate locations; attach explanation if needed)
N/A

12. List all permits, approvals, or certifications required by other federal, state, or local agencies: (Include those required for any structure, construction activity, discharge or other activities described in this application)

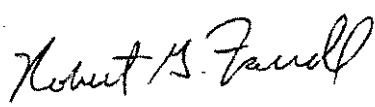
<u>Issuing Agency</u>	<u>Type Approval</u>	<u>Identification Number</u>	<u>Date of Application</u>	<u>Date of Approval</u>
<u>PROJECT AREA NEEDS TO BE DEFINED BEFORE PERMITTING CAN BE PURSUED. (see list of anticipated approvals - attached)</u>				

13. Has any agency denied approval for the project described herein or any activity related to the project?
 No Yes (If "Yes", attach explanation)

Send your completed request to the TVA Resource Stewardship Watershed Team listed below:

- A complete request should include:
1. This completed application form and a check or money order with Social Security Number on the check made payable to "TVA" for the appropriate land transaction fee.
 2. A location map indicating the area of TVA land or landrights affected by the project.
 3. Drawing(s) or plan(s) of any proposed construction activity or development which would result if land or landrights are granted.

Tennessee Valley Authority


4-17-2003

TVA LAND USE APPLICATION
(Questions 10 & 12 cont'd)

10. Environmental Impact (potential issues)

- Drainage Runoff
- Tree Removal
- Site Development
- Auto Access & Parking
- Boat Storage/Marine Services: potential spill & spill management
- Introduction of Fuels
- Waste Pump-out and Sewer Systems
- Air Quality
- Other EIS issues as determined

12. Permits, Approvals & Certifications (anticipated agencies involved)

- TVA
- US Army Corp of Engineers
- Monroe County
- City of Vonore
- State of Tennessee

SEQUOYAH LODGE DEVELOPMENT TABLE

	AMENITY	LODGE ROOMS	SHORE CABINS	QUAD UNITS	RV CAMP LOTS	HOUSE BOATS	RETAIL/ RESTAURANT	SLIPS/ MARINA	PARKING FLAG HOTEL FUTURE
INCREMENT I	SWIM CENTER & main Lodge	40	15	28		10	8,000 SF	3 TOUR 40 SLIPS	175 Spaces
INCREMENT II	Start RV Campground Marine Service				75	15		40 SLIPS	25 Spaces
INCREMENT III	KAYAK CENTER	40	31	80	39	15	12,000 SF	40 SLIPS	175 Spaces
INCREMENT III	CONFERENCE CENTER	40			23	10	REST. A 10,000 SF	24 SLIPS	160 Spaces 50 spcs w/ Rest
INCREMENT IV	CANOE CENTER	40					REST. B 10,000 SF		60 Spaces 50 spcs w/ Rest
INCREMENT V	HOTEL CONFERENCE CENTER								140 Rooms 150 Spcs w/Hotel
TOTAL		160	46	108	137	50	40,000 SF	3 TOUR 144 SLIPS	785 Parking Spaces 140 Rooms

SEQUOYAH LODGE DEVELOPMENT INVESTMENT TABLE

	AMENITY	LODGE ROOMS	SHORE CABINS	QUAD UNITS	RV CAMP LOTS	HOUSE BOATS	RETAIL/ RESTAURANT	SLIPS/ MARINA	PARKING FLAG HOTEL FUTURE
INCREMENT I	SWIM CENTER	40	15	28		10	8,000 SF	3TR/40 SLP	175 Spaces
\$8,680,000	& main Lodge	@ \$60k/rm \$2,400,000	@ \$75k/unit \$1,125,000	@ \$65k/unit \$1,820,000		@ \$50k/unit \$500,000	@ \$175/ sq ft \$1,400,000	@ \$1500/slp \$810,000	@ \$3000/spa + utility \$525,000
INCREMENT II	Start Rv Campground				75	15		40 SLIPS	25 Spaces
\$2,450,000	Marine Service				@ \$15k/spc \$1,125,000	@ \$50k/unit \$750,000		@ \$12,500/slp \$500,000	\$75,000
INCREMENT III	KAYAK CENTER	40	16	40	39	15	12,000 SF	40 SLIPS	175 Spaces
\$10,160,000		@ \$60k/rm \$2,400,000	@ \$75k/unit \$1,200,000	@ \$65k/unit \$2,600,000	@ \$15k/spc \$585,000	@ \$50k/unit \$750,000	@ \$125/ sq ft \$1,500,000	@ 15000/slp \$600,000	\$525,000
INCREMENT III	CONFERENCE CENTER	40	15	40	23	10	REST. A	24 SLIPS	160 Spaces
\$9,710,000		@ \$60k/rm \$2,400,000	@ \$75k/unit \$1,125,000	@ \$65k/unit \$2,600,000	@ \$15k/spc \$345,000	@ \$50k/unit \$500,000	10,000 SF	@ 15000/slp \$360,000	50 spcs w/ Rest \$630,000
INCREMENT IV	CANOE CENTER	40					REST. B		60 Spaces
\$4,630,000		@ \$60k/rm \$2,400,000					10,000 SF		50 spcs w/ Rest \$330,000
INCREMENT V									140 Rooms
\$11,200,000									150 Spcs w/Hotel \$11,200,000
TOTAL		160	46	108	137	50	40,000 SF	3 TOUR	785 Park Spcs
\$48,630,000		\$9,600,000	3,450,000	7,020,000	2,055,000	2,500,000	6,450,000	144 SLIPS	2,085,000



The Eastern Band of Cherokee Indians

APR 15 2003

The Honorable Leon D. Jones, Principal Chief
The Honorable Carroll J. Crowe, Vice-Chief

April 14, 2003

Bob Blankenship
Chairman

Yellowhill Township

Larry Blythe
Vice-Chairman

Wolfstown Township

Tribal Council Members

Teresa Bradley McCoy
Big Cove Township

Richard Panther
Big Cove Township

Jim Owle
Birdtown Township

Albert Crowe
Birdtown Township

Marie L. Junaluska
Painttown Township

Tommye Saunooke
Painttown Township

Glenda Sanders
Snowbird &
Cherokee Co. Township

Brenda L. Norville
Snowbird &
Cherokee Co. Township

Dwayne Jackson
Wolfstown Township

Alan B. Ensley
Yellowhill Township

Mr. Robert G. Farrell
Tennessee Valley Authority
804 Hwy. 321N.
Lenoir City, TN 37771

Dear Mr. Farrell,

For a number of years, the Eastern Band of Cherokee Indians (EBCI) and numerous staff of your agency (TVA), have been working together toward securing an offer of land rights to EBCI on certain TVA property at Tellico lake. That offer in 1990, came in response to an earlier request that year from EBCI concerning a possible Tellico site for development of resort facilities. The annual lease fee and certain other revenues from such development might be designated to support the financial stabilization of the struggling Sequoyah Birthplace Museum and memorial project on other nearby lands where development rights were earlier conveyed to EBCI by TVA for that purpose. The Tribe's idea was to seek a private developer for the resort, and provide them a long-term lease for development under an approved plan and development program.

The offer was in a letter from William F. Willis, TVA Executive Vice President, indicating TVA interest in the idea and stating certain conditions and requirements to be met before they could formally consider land availability. We believe those conditions and requirements have now been met. Feasibility studies were positive. A highly qualified developer has been found, the Overhill Development Company, LLC (hereinafter, ODC), of Florida, and they have agreed to specific terms. The Tellico Reservoir Development Agency has concurred in this concept and is supporting the project. A master plan for development has been agreed upon. A cooperative agreement for developing, operating and managing the project (including fees and charges) has been executed. The Bureau of Indian Affairs, U.S. Department of Interior, has also formally approved the proposal.

Therefore, EBCI formally requests the conveyance of easement for the use of forty (40) acres of TVA Tellico lands as identified on the sketches and maps which accompany our completed Application Form enclosed. Also included are the proposed and accepted development plans, and incremental schedules for development and investment from ODC who will be the resort developer. If all phases of development are completed, the total investment by ODC will have been approximately \$49 Million.

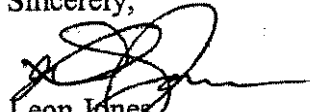
If our application is approved, our intent is to provide a forty (40)- year lease to ODC, in accord with terms of the executed pre-lease agreement, a copy of which you already have. All parties already understand appropriate review and approval processes for steps that

88 Council House Loop • P.O. Box 455 • Cherokee, N.C. 28719
Telephone: (828) 497-2771 or 497-7000
Telefax: (828) 497-7007

follow. The agent for ODC will be Mr. Richard Gehring, who has been serving in that capacity. Agent for EBCI will continue to be Mr. Maxwell D. Ramsey, Chairperson, TBFS. Correspondence intended for EBCI should be addressed to Office of the Principal Chief, and copies sent to EBCI Office of Attorney General (both at PO Box 455, Cherokee, NC 28719) and to Mr. Ramsey at 7900 Timberglow Trail, Knoxville, TN 37938.

We thank you for helping bring this long awaited project to this point, and for the excellent working relationship you and your staff have always provided. If questions or concerns need addressing, or meetings need to be held, please contact us. You and your staff have already explained to us next steps in the approval process and how long they might take; however, if we can help expedite moving forward, we stand ready.

Sincerely,



Leon Jones
Principal Chief

LDJ/CHH

Enclosures

CC: Richard Gehring
Maxwell Ramsey

Parcel Allocation

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

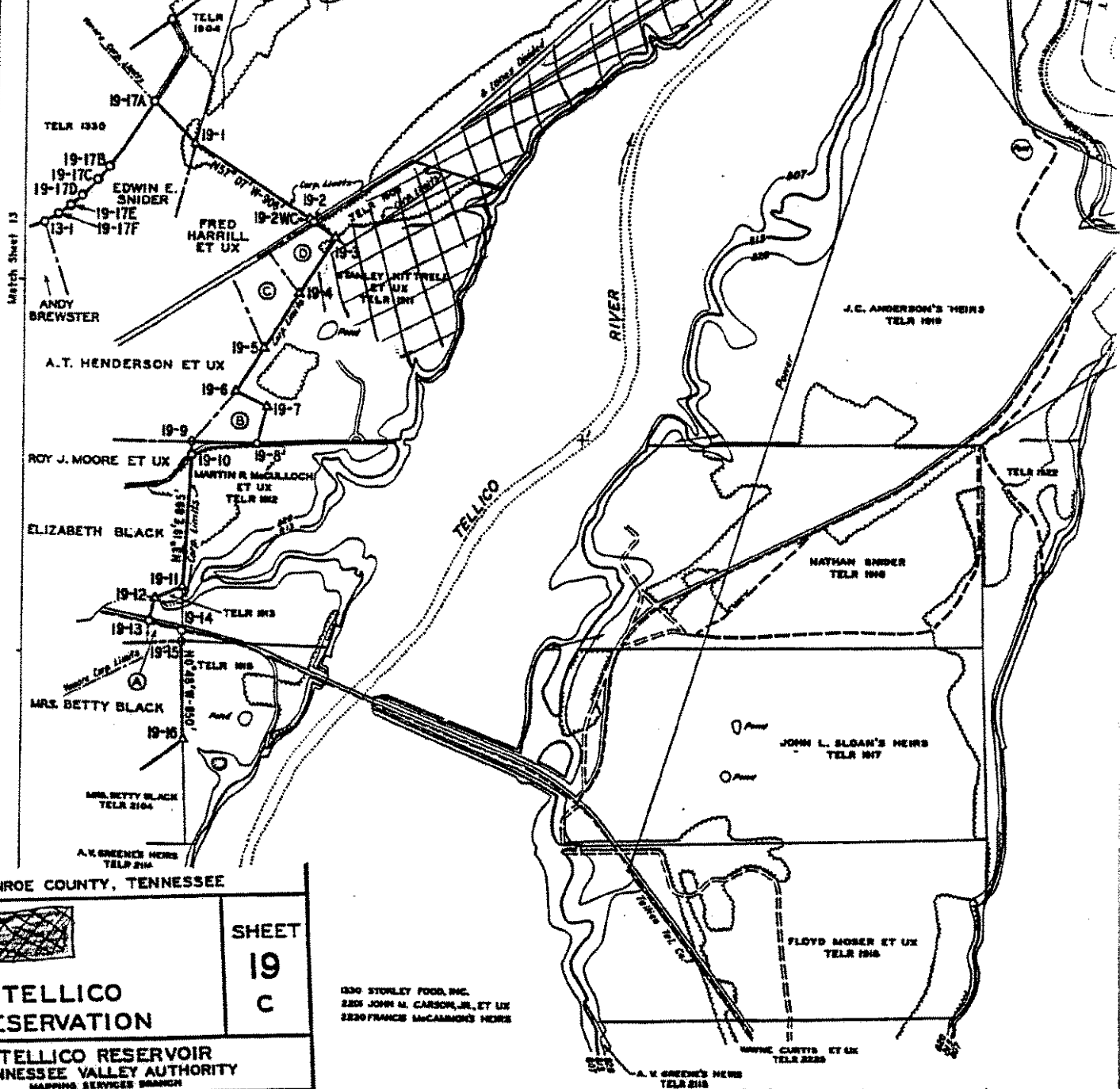
- 19-15 N 0° 35' W - 79'
- 19-14 N 75° 00' W - 222'
- 19-13 MEANDER & OLD ROAD
N 13° 28' E - 156'
- 19-12 N 65° 59' E - 194'
- 19-11
- 19-10 N 3° 19' E - 75'
- 19-9 S 88° 05' E - 427'
- 19-8 N 14° 25' E - 284'
- 19-7 N 64° 31' W - 234'
- 19-6 N 32° 47' E - 335'
- 19-5 N 33° 00' E - 445'
- 19-4 N 32° 53' E - 438'
- 19-3 N 58° 13' W - 177'
- 19-2 N 57° 01' W - 43'
- 19-2WC
- 19-1 N 43° 53' W - 398'
- 19-17A
- 19-17A S 33° 47' W - 529'
- 19-17B S 33° 00' W - 122'
- 19-17C S 43° 50' W - 136'
- 19-17D S 48° 55' W - 109'
- 19-17E S 54° 37' W - 105'
- 19-17F S 58° 32' W - 102'
- 13-1
- 19-28 N 10° 40' W - 175'
- 19-29 S 59° 09' W - 44'
- 19-30 S 42° 45' W - 28'
- 19-31

L & N R.R. CO.

BEN C. CLARK
TELR 1903

445,000

Match Sheet 13



TELLICO

SEVENTH CIVIL DISTRICT
SECOND CIVIL DISTRICT

MONROE COUNTY, TENNESSEE



TEL RIVER
RESERVATION

SHEET
19
C

TEL RIVER RESERVATION
TENNESSEE VALLEY AUTHORITY
MAPPING SERVICES BRANCH



CHATTANOOGA OCT 1979 65 MS 4218511-C-19 R.0

1230 STURLEY FOOD, INC.
2205 JOHN M. CARSON, JR., ET UX
2220 FRANCES McCAMMONS HEIRS

Eastern Band of the Cherokee Indians
PLR 138671 + 138673

May 20, 2003

Janet L. Duffey

EASTERN BAND OF THE
CHEROKEE INDIANS EASEMENT
Traffic Assessment

The Eastern Band of the Cherokee Indians has applied for an easement of approximately 40 acres on the Tellico Reservoir off of U.S. Highway 411. The proposed site is located in the town of Vonore in Monroe County, Tennessee. The proposed site will include 160 lodge rooms, 46 shore cabins, 108 quad units, 137 RV camp lots, 50 house boat spaces, 40,000 square feet of retail/restaurant space, 144 slips, and 140 hotel rooms. Driveways do not exist and will need to be constructed. Tennessee Department of Transportation requires driveway permits and would be responsible for assessing sight distances and required geometry for any driveway construction. U.S. Highway 411 is a four lane divided highway with a posted 55 mph (50 mph for trucks) speed limit through the proposed area.

The area near the proposed resort is a moderately developed rural area with numerous houses. The town area ends approximately ½ mile south of the proposed area. Numerous small businesses and retail shops are located in the vicinity of the town. A small industrial park is located across U.S. Highway 411 from the proposed site. There are approximately 12 small plants located in the industrial park. However, the plants are accessed by county roads off of U.S. Highway 411. A K-8 school is located approximately 1 mile south of the proposed resort. The school should be expected to contribute typical school traffic during morning and afternoon hours.

Based on the proposed 785 parking space resort facility (Sequoyah Lodge Development Table), it is estimated that each space would generate 4 trips per day. This traffic estimate is based on the full build out of the facility and is representative of what could be expected as a result of the development. Using this estimate, 785 parking spaces would result in 3,140 vehicles added to U.S. Highway 411. This estimate would be a slightly higher than average day of use. In other words, most days would see less traffic than this generated while there could be an occasional day where more traffic was generated.

Attached is a copy of Tennessee Department of Transportation traffic map for Monroe County. This map shows an Average Daily Traffic (ADT) volume of approximately 12,100 trips per day on U.S. Highway 411 in the vicinity of the proposed resort. Traffic counts are obtained from portable and continuous Automatic Traffic Recorder Stations operated by TDOT, Division of Planning. There is more than sufficient remaining capacity on U.S. Highway 411 to handle the expected increase in traffic due to the proposed resort.

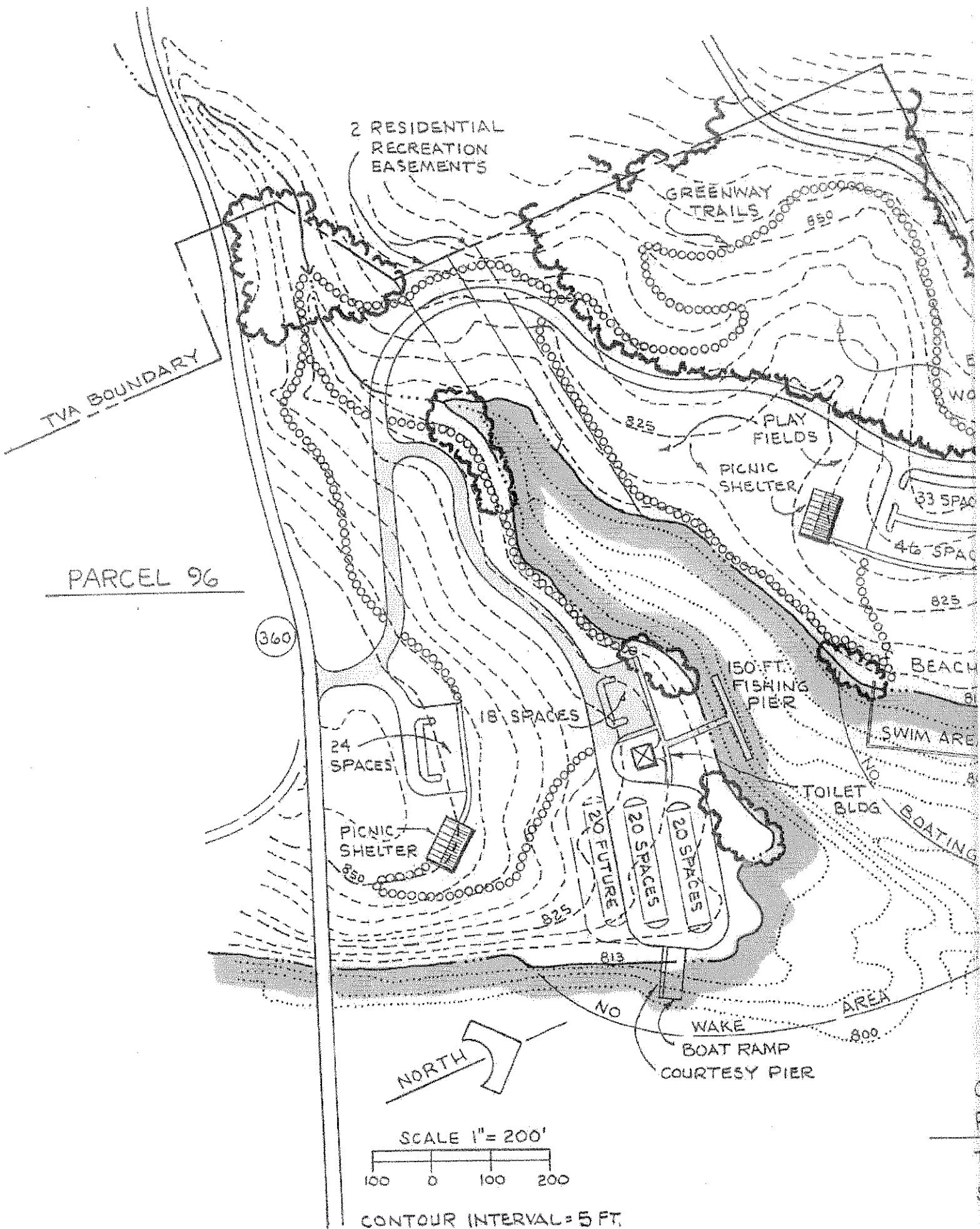
This ADT volume reflects an average Monday through Friday traffic count, when most trips would be for commuting to work. Recreation and resort traffic generated by the proposed resort facility is expected to peak on weekends and holidays. The traffic generated by the resort during a major holiday is less than what currently exists on U.S. Highway 411 during a typical weekday. An average weekend would produce considerably less traffic than on a peak holiday.

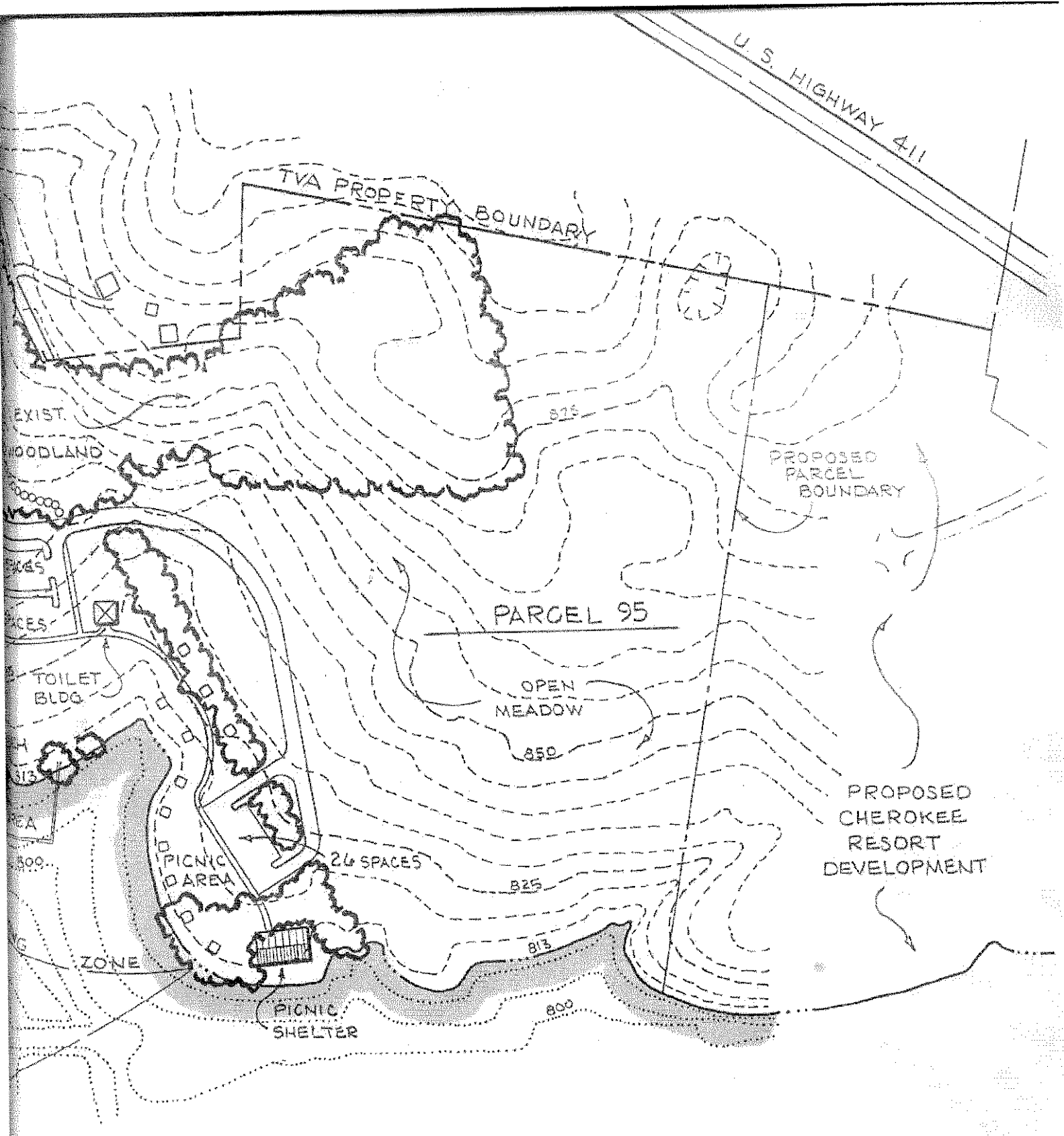
Other facilities may develop as a result of the added tourism from the proposed resort. Given the location of the area, other recreational development along U.S. Highway 411 and the surrounding area may occur.

If you should have any questions or need assistance please feel free to contact me.

Adam Lea
Civil Engineer, Intern
LP 2G – C
(423) 751-7972

H. L. Petty
Principle Engineer
LP 2G – C
(423) 751-6704





CONCEPTUAL PLAN
 PUBLIC RECREATION DEVELOPMENT
 TELlico RESERVOIR - VONORE, TN
 SKETCH 72103 - RLP

TELLICO RESERVOIR - PARCEL 95
CHEROKEE MITIGATION - RECREATION FEATURES
COST ESTIMATE

Feature	Quantity	Unit	Unit Cost	Total
Earth work – Road and Parking Lot	2000	cu. yd.	\$8.05	\$16,100
Asphalt Road Pavement, 24 feet wide	450	sq. yd.	\$16.70	\$7,520
Asphalt Parking Lot Paving	810	sq. yd.	\$17.25	\$13,980
Extruded Concrete Curb	530	lin. ft.	\$5.75	\$3,050
Concrete Walk, 6 feet wide	220	lin. ft.	\$23.60	\$5,190
Seeding and Mulching, 8 ft. beyond features	2580	sq. yd.	\$5.15	\$13,290
Pressure-treated wood Fishing Pier, 150 x 8 ft. with 60 x 5 ft. access way	1500	sq. ft.	\$17.50	\$26,250
			Total	<u>\$85,380</u>
			Total with 10 % contingency, say	\$94,000

SEQUOYAH LODGE & LAKE RESORT

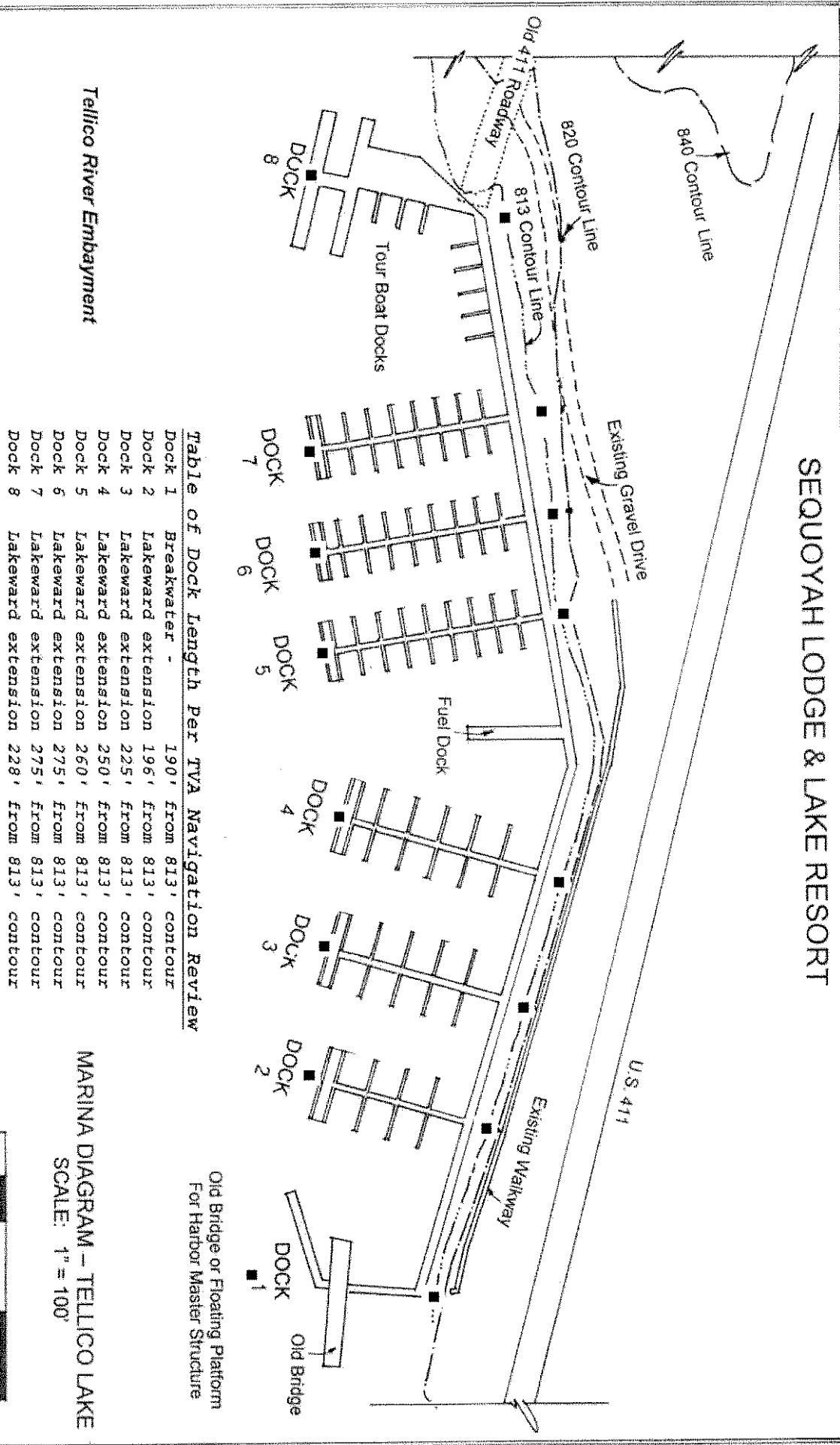


Table of Dock Length Per TVA Navigation Review

Dock	Description	Length	Reference
Dock 1	Breakwater	190'	from 813' contour
Dock 2	Lakeward extension	196'	from 813' contour
Dock 3	Lakeward extension	225'	from 813' contour
Dock 4	Lakeward extension	250'	from 813' contour
Dock 5	Lakeward extension	260'	from 813' contour
Dock 6	Lakeward extension	275'	from 813' contour
Dock 7	Lakeward extension	275'	from 813' contour
Dock 8	Lakeward extension	228'	from 813' contour

Tellico River Embayment

MARINA DIAGRAM - TELLICO LAKE

SCALE: 1" = 100'



See Parrott Marina Diagram & Galvalium Detail for Materials and Dimensions of Dock System

Old Bridge or Floating Platform
For Harbor Master Structure

Entered in ENTRAC on 06/10/03

June 10, 2003

Janet L. Duffey, HWY 1A- LCT

26a FILE 138673 - LRD 138677 - CEC 3664 & 3662 – EASTERN BAND OF THE CHEROKEE INDIANS - PROPOSED LODGE AND RESORT – TRACT NO. XTTELR-43RE - TELLICO RIVER MILE 0.1 TO 1.0L – TELLICO RESERVOIR

This responds to your April 23 request for comments on the subject 26a permit application and land use review.

At this time, there are no detailed plans for the proposed project. Therefore, our comments are based on the information provided with the application package. The proposed project involves construction of a boat ramp, floating boat slips, a beach and land-based structures. For compliance with Executive Order 11988, a boat ramp, floating boat slips, and a beach are considered to be repetitive actions in the floodplain that should result in minor impacts. All land-based structures would be located on land above the TVA Flood Risk Profile Elevation 817.8. The project would comply with the TVA Flood Control Storage Loss Guideline provided less than 1 acre-foot of flood control storage would be displaced.

From the standpoint of Flood Control, we have no objection to the proposed project and 40 year easement over the subject tract provided the following conditions are included in the final CEC, permit, and any transfer document(s). These conditions are not trackable commitments.

1. You agree to securely anchor all floating facilities to prevent them from floating free during major floods.
2. Any future facilities or equipment subject to flood damage are located above or floodproofed to the TVA Flood Risk Profile elevation 817.8.
3. Any future development proposed within the limits of the 100-year floodplain, elevation 816.5 is consistent with the requirements of Executive Order 11988.
4. All future development is consistent with the requirements of TVA's Flood Control Storage Loss Guideline.
5. You are advised that TVA retains the right to flood this area and that TVA will not be liable for damages resulting from flooding.

Janet L. Duffey
Page 2
June 10, 2003

The following information was entered in ENTRAC:

<u>Category</u>	<u>Potentially Affect the 100-Year Floodplain?</u>	<u>Permit(s)</u>	<u>Commitment(s)</u>
Part 2 #7 - Floodplains	Yes	No	No

Roger A. Milstead, P.E.
Manager
Flood Risk and Data Management
WT 10C-K

My documents\26a2003\138673\et.doc

April 14, 2004

Janet Duffey, HWY 1A-LCT

RLR 138677 – CEC 3662 - TELlico RESERVOIR – EASTERN BAND OF
CHEROKEE INDIANS - PROPOSED EASEMENT AND 26A PERMIT FOR
RECREATIONAL DEVELOPMENT – TELlico RIVER MILE 0.5L – MONROE
COUNTY, TENNESSEE – SUPPLEMENTAL RESPONSE

This provides additional information to supplement my May 19, 2003, response to this CEC. Shoreline condition along this tract is generally well wooded. While it is desirable to maintain this shoreline condition to the extent practicable, alterations will occur that are normally associated with developments of this nature, and they have been addressed in scope changes that have been assessed since my May 19, 2003, response. Given the extent to which public use would occur on this area, it is not realistic to designate reaches of shoreline that would remain undisturbed (mentioned as a possibility in my initial response). Planned shoreline stabilization is appropriate since public use will eventually degrade the existing vegetated condition.

I have no objection to the granting of the easement or 26a permit for the development. Impacts resulting from the proposed activities would be insignificant with implementation of appropriate routine conditions from the General and Standard Conditions Checklist.

For the CEC checklist, use the following information:

<u>Category</u>	<u>Potential Effects</u>	<u>Commitments</u>	<u>Permits</u>
2-6 Stream Modification	None	None	None
2-12 Surface Water	Yes-Insignificant	None	ARAP and CoE
2-16 Aquatic Habitats	Yes-Insignificant	None	ARAP and CoE

George Peck
NRB 3D-N

05-138677-26a-revised

May 19, 2003

Janet Duffey, HWY 1A-LCT

RLR 138677 – CEC 3662 - TELlico RESERVOIR – EASTERN BAND OF
CHEROKEE INDIANS - PROPOSED EASEMENT FOR RECREATIONAL
DEVELOPMENT – TELlico RIVER MILE 0.5L – MONROE COUNTY, TENNESSEE

I am not aware of any particularly unique aquatic habitats that would be impacted by the proposed easement. Shoreline conditions along this tract are generally well wooded, and the existing natural shoreline condition should be maintained to the extent practicable during future developments.

I have no objection to the granting of the easement as requested. No impacts to aquatic habitats would result from this administrative action. It is my understanding that impacts resulting from future development activities would be assessed as part of a future NEPA document. In general, impacts resulting from the proposed activities would be insignificant with implementation of appropriate routine conditions from the General and Standard Conditions Checklist. In order to maintain an insignificant level of impact, it may also be necessary to limit alteration of the existing shoreline condition to some extent through the designation of undisturbed buffer zones or vegetation management plans.

For the CEC checklist for granting of the easement, use the following information:

<u>Category</u>	<u>Potential Effects</u>	<u>Commitments</u>	<u>Permits</u>
2-6 Stream Modification	None	None	None
2-12 Surface Water	None	None	None
2-16 Aquatic Habitats	None	None	None

George Peck
NRB 3D-N

05-138677-26a

Sequoyah Lodge and Lake Resort

The proposed EBCI development will provide commercial recreation opportunities in support of the Tellico Land Plan's current allocation. It will also displace an existing Tellico Reservoir Development Agency public use area which provides boating access and bank/pier fishing opportunities. The EBCI has previously agreed to off-set the loss of these public use area amenities.

Several off-set options have been presented; however, more in depth stakeholder interaction is desired to reach a final recommendation on the best alternative. The current options being considered include the following:

1. Utilize the adjoining upstream TVA Tract No. XTELR-95 to build a new boat ramp and fishing pier which would be managed by TRDA.
2. Improve facilities in the existing Vonore and TRDA facilities in the Island Creek embayment.
3. Assist the development of Wildcat Rock recreation amenities.
4. Further improve the Tellico eastern shore greenway.

The EBCI concept site plan will require some road alignment/facility adjustments associated with the campground in order to provide for future adequate access to Tract No. XTELR-95 which is also allocated for recreation and is envisioned to be developed and managed by either TRDA or local government.

Reservoir boating facilities above U.S. Highway 411 Bridge include 10 public/commercial boat ramps (186 parking spaces), approximately 500 existing/potential residential docks, and Tellico Harbor Marina. THM has a capacity of 112 dry and 258 wet slips and typically is at 90-95% capacity in peak season. Potential vessels from all of these sources total approximately 1,406. When the potential vessels (144) from the Sequoyah Lodge and Lake Resort are added, that raises the maximum number of vessels to 1550. There is approximately 8,000 acres of water surface area above U.S. Highway 411 Bridge.

Based on the assumption that residential docks would average 1.7 vessels per dock, boating would typically occur in the upper end of the reservoir, and no more than 35% of all boats from all sources would be on the water during peak periods, there could be approximately 543 vessels on the water at one time. This would create a boating density of approximately 14.7 acres of water surface per vessel. This range is well above the recommended threshold of 10 acres per boat. Although portions of the reservoir receive heavy boating use at peak periods and public boating pressures will likely continue to increase, there appears to be ample water surface area for boating to accommodate existing and planned dock facilities at private and commercial areas, as well as the vessels from the Sequoyah Lodge and Lake Resort.

Entered in ENTRAC 04/06/04

SECTION 26a FILE 138673, LAND USE FILE 138677, CEC 3664 AND 3662 - REQUEST FOR EASEMENT AND RESORT CONSTRUCTION - EASTERN BAND OF THE CHEROKEE INDIANS - OPPOSITE LITTLE TENNESSEE RIVER MILE 19.0 - TELlico RIVER MILE 0.5L - TELlico RESERVOIR

On April 1, 2004, I received another set of revised drawings for the marina development, including proposed maximum lakeward extensions of each dock from the norner summer pool elevation 813 as we requested. The proposed lengths are:

- Dock 1: Breakwater: 190 feet from the 813
- Dock 2: 196 feet from the 813
- Dock 3: 225 feet from the 813
- Dock 4: 250 feet from the 813
- Dock 5: 260 feet from the 813
- Dock 6: 275 feet from the 813
- Dock 7: 275 feet from the 813
- Dock 8: 228 feet from the 813.

The proposed maximum lakeward extensions of each dock are consistent with what was required by TVA Navigation and the Corps of Engineers after several site visits. As long as the boatslips do not extend beyond these maximum lengths, the marina development should not interfere with recreational navigation.

Due to the narrowness of the river in this area, the harbor limits for the marina development will not extend beyond the breakwaters at the end of each slip. In other words, the harbor limits for the marina development are the same as the maximum lengths for each set of slips mentioned above. The breakwaters that are designed for the end of each set of slips should adequately prevent wave wash action. No boats should be moored on the outside of the breakwaters at the end of each set of slips.

We recommend issuance of the requested permit contingent upon the following conditions:

1. The maximum lengths of each dock in the marina area should not exceed the lengths mentioned above.
2. All of the proposed water-use components of the development appear to be protected by breakwaters. This will provide sufficient protection from wave action for the activities involved therein. Therefore, no-wake zones or buoys will not be allowed in the vicinity of the development.
3. The applicant is advised in writing that the facility will front on a recreational navigation channel at a location which makes the facility and any moored boats vulnerable to wave wash and collision damage from passing vessels.
4. The floor elevation of any fixed docks should be a minimum of 2.0 feet above the normal summer pool elevation 813.
5. The 100-year flood elevation at this site is estimated to be 816.5-feet mean sea level. As a minimum, fixed, covered facilities should be designed so that stored boats are not forced against the roof during a 100-year flood event.

6. All floating facilities are securely anchored to prevent them from floating free during major floods.
7. Except for the marina development, harbor limits will be set at 50 feet from the shoreline and all structures. The harbor limits within the marina development should not extend beyond the breakwaters at the end of each set of slips.

KHH

cc: Files, RO, WT 10C-K
Ruben Hernandez, USACE, Nashville, TN
Cathy Elliott, USACE, Lenoir City
26a Memo/138673

Entered in ENTRAC 03/02/04

SECTION 26a FILE 138673, LAND USE FILE 138677, CEC 3664 AND 3662 - REQUEST FOR EASEMENT AND RESORT CONSTRUCTION - EASTERN BAND OF THE CHEROKEE INDIANS - OPPOSITE LITTLE TENNESSEE RIVER MILE 19.0 - TELLICO RIVER MILE 0.5L - TELLICO RESERVOIR

On February 19, 2004, I received another set of revised drawings for the marina development, including proposed maximum lakeward extensions of each dock from the normer summer pool elevation 813. The proposed lengths are:

- Dock 1: Breakwater: Leg 1, 130 feet from the 813; Leg 2, 190 feet from the 813
- Dock 2: Eight 36' x 40' slips: 196 feet from the 813
- Dock 3: Twelve 36' x 40' slips: 276 feet from the 813
- Dock 4: Fourteen 36' x 40' slips: 316 feet from the 813
- Dock 5: Twenty-two 24' x 30' slips: 344 feet from the 813
- Dock 6: Twenty 24' x 30' slips: 316 feet from the 813
- Dock 7: Eighteen 24' x 30' slips: 288 feet from the 813
- Dock 8: Seven 24' x 30' slips and three 30' x 70' slips: 228 feet from the 813.

The site was field inspected with the Corps of Engineers on March 1, 2004. The proposed dimensions were reviewed using a tape measure, range-finder, GPS, and digital photos. This area is very narrow and can be dangerous to recreational boaters due to the location of the bridge and the restricted visibility in the area. With the potentially large increase in traffic associated with the proposed development, this area could become even more dangerous. Due to the safety concerns and the potential of the proposed facilities to interfere with recreational navigation, several of the dock lengths will need to be reduced. Using the same numbering system from the drawings, the maximum lengths allowed for each set of slips are as follows:

- Dock 1: The proposed 190 feet from the 813 contour is acceptable.
- Dock 2: The proposed 196 feet from the 813 contour is acceptable.
- Dock 3: Maximum lakeward extension will be limited to 225 feet from the 813 contour.
- Dock 4: Maximum lakeward extension will be limited to 250 feet from the 813 contour.
- Dock 5: Maximum lakeward extension will be limited to 250 feet from the 813 contour.
- Dock 6: Maximum lakeward extension will be limited to 275 feet from the 813 contour.
- Dock 7: Maximum lakeward extension will be limited to 275 feet from the 813 contour.
- Dock 8: The proposed 228 feet from the 813 contour is acceptable.

As long as the boatslips do not extend beyond these maximum lengths, the marina development should not interfere with recreational navigation.

Due to the narrowness of the river in this area, the harbor limits for the marina development will not extend beyond the breakwaters at the end of each slip. In other words, the harbor limits for the marina development are the same as the maximum lengths for each set of slips mentioned above. The breakwaters that are designed for the end of each set of slips should adequately prevent wave wash action. No boats should be moored on the outside of the breakwaters at the end of each set of slips.

We recommend issuance of the requested permit contingent upon the following conditions:

1. The drawings should be revised to reflect the maximum allowable lakeward extensions and a copy sent to me.
2. All of the proposed water-use components of the development appear to be protected by breakwaters. This will provide sufficient protection from wave action for the activities involved

therein. Therefore, no-wake zones or buoys will not be allowed in the vicinity of the development.

3. The applicant is advised in writing that the facility will front on a recreational navigation channel at a location which makes the facility and any moored boats vulnerable to wave wash and collision damage from passing vessels.
4. The floor elevation of any fixed docks should be a minimum of 2.0 feet above the normal summer pool elevation 813.
5. The 100-year flood elevation at this site is estimated to be 816.5-feet mean sea level. As a minimum, fixed, covered facilities should be designed so that stored boats are not forced against the roof during a 100-year flood event.
6. All floating facilities are securely anchored to prevent them from floating free during major floods.
7. Except for the marina development, harbor limits will be set at 50 feet from the shoreline and all structures. The harbor limits within the marina development should not extend beyond the breakwaters at the end of each set of slips.

KHH

cc: Files, RO, WT 10C-K
Ruben Hernandez, USACE, Nashville, TN
Cathy Elliott, USACE, Lenoir City
26a Memo/138673

ATTACHMENT B – AGENCY CORRESPONDENCE

April 9, 2002

Dr. Joe Garrison
Tennessee Historical Commission
Clover Bottom Mansion
2941 Lebanon Pike
Nashville, TN 37243-0442

SUBJECT: EASTERN BAND OF CHEROKEE INDIANS CONFERENCE
CENTER, MONROE COUNTY, TENNESSEE

Dear Dr. Garrison:

The Eastern Band of Cherokee Indians (EBCI) proposes to develop a hotel, conference center, campground, wateruse facilities, walking trails and parking on the Tellico Reservoir. This property is currently owned by the Tennessee Valley Authority (TVA) and will be transferred to EBCI for development. This proposal was included in the *Tellico Reservoir Land Management Plan Environmental Impact Statement* (EIS). However, the footprint has been expanded to include portions of both Parcel 94 and 95 of the EIS. The two tracts total 105.5 acres, but not all of Parcel 94 and 95 will be transferred for the development. However, the development will be confined to these parcels. The project area is located on Tellico Reservoir in Monroe County, Tennessee, Tellico River Mile 0-1.4L. The area of potential effect (APE) for this project is defined as the portions of the proposed transfer tracts and any area that would be visually affected by this development.

A Phase I archaeological survey has been conducted by the University of Tennessee on both of the proposed parcels (94 and 95). During these investigations, a total of seven archaeological sites have been recorded in Parcel 94 and 95 (Table 1). Archaeological site 40MR266 was a small lithic surface scatter recorded in 1981 by the University of Tennessee. The remaining sites (40MR562-567) were recorded in the 1998 survey (*Archaeological Reconnaissance Survey of Tennessee Valley Authority Lands on the Tellico Reservoir*). Although the survey crew attempted to relocate 40MR266, it could not be found. The parcels were investigated by shovel testing at 20m intervals and the shoreline was inspected by pedestrian walkover. All six of the newly

Table 1: List of Archaeological Sites Recorded on Parcel 94 and 95.

SITE	OCCUPATION	MATERIAL RECOVERED	LOCATION CONDITION
40MR266	Prehistoric	3 lithic flakes	Not relocated
40MR562	Prehistoric	2 lithic flakes	Severely Eroded
40MR563	Prehistoric	lithic scatter	Severely Eroded
40MR564	Prehistoric/Historic	1 lithic flake and Late 20th century	Severely Eroded
40MR565	Prehistoric/Historic	1 lithic flake and Mid 19th-Late 20th century	Razed; Severely Eroded
40MR566	Historic	20th century	Severely Eroded
40MR567	Historic	Mid 19th-Late 20th Century	Construction; Severely Eroded

recorded sites were recommended as potentially eligible for listing in the National Register of Historic Places (NRHP) by the University of Tennessee.

A field reconnaissance was conducted by our staff in June 2001 to note the current conditions of the area, and relocated all of the sites; excluding 40MR266. Shovel tests were conducted at the upland sites, and the shoreline sites were reexamined. Due to extensive erosion and low density of artifactual remains, none of the sites have a potential to contain intact deposits and are considered ineligible for listing on the NRHP. It is probable that 40MR266 cannot be relocated due to the small component that was present and the erosion that has taken place.

TVA Cultural Resources staff has reviewed the Phase I draft survey report and disagrees with the recommendations of the authors. TVA Cultural Resources considers that 40MR266, 40MR562, 40MR563, 40MR564, 40MR565, 40MR566, and 40MR567 are ineligible for listing in the NRHP. Therefore, pursuant to the requirements of Section 106 of the National Historic Preservation Act and its implementing regulations at 36 CFR Part 800.4, TVA Cultural Resources office is requesting your concurrence on these findings.

In addition, there is one historic farmstead recorded just west of Parcel 94. Depending on the height and placement of the proposed hotel and other facilities

Dr. Joe Garrison
Page 3
April 9, 2002

associated with the development, there may or may not be visual effects to the historic structures. TVA Cultural Resources will require that commitments will be made by the development to avoid visually effecting the farmstead. Additional information about the specific location of the hotel and facilities will be sent to your office as soon as it is available. Our office will seek your comments on effects to historic structures at that time.

If you have any questions or comments please contact me or Eric Howard (865) 632-1403.

Sincerely,

J. Bennett Graham
Senior Archaeologist

Enclosures

cc: Ms. Jennifer Bartlett
Enclosures

James Bird

April 9, 2002

Mr. James Bird
Tribal Historic Preservation Officer
Cultural Resources Office
Eastern Band of Cherokee Nation
Post Office Box 455
Cherokee, North Carolina 28719

SUBJECT: EASTERN BAND OF CHEROKEE INDIANS CONFERENCE CENTER, MONROE COUNTY, TENNESSEE

Dear Mr. Bird:

The Eastern Band of Cherokee Indians (EBCI) proposes to develop a hotel, conference center, campground, wateruse facilities, walking trails and parking on the Tellico Reservoir. This property is currently owned by the Tennessee Valley Authority (TVA) and will be transferred to EBCI for development. This proposal was included in the *Tellico Reservoir Land Management Plan Environmental Impact Statement* (EIS). However, the footprint has been expanded to include portions of both Parcel 94 and 95 of the EIS. The two tracts total 105.5 acres, but not all of Parcel 94 and 95 will be transferred for the development. However, the development will be confined to these parcels. The project area is located on Tellico Reservoir in Monroe County, Tennessee, Tellico River Mile 0-1.4L. The area of potential effect (APE) for this project is defined as the portions of the proposed transfer tracts and any area that would be visually affected by this development.

A Phase I archaeological survey has been conducted by the University of Tennessee on both of the proposed parcels (94 and 95). During these investigations, a total of seven archaeological sites have been recorded in Parcel 94 and 95 (Table 1). Archaeological site 40MR266 was a small lithic surface scatter recorded in 1981 by the University of Tennessee. The remaining sites (40MR562-567) were recorded in the 1998 survey (*Archaeological Reconnaissance Survey of Tennessee Valley Authority Lands on the Tellico Reservoir*). Although the survey crew attempted to relocate 40MR266, it could not be found. The parcels were investigated by shovel testing at 20m intervals and the shoreline was inspected by pedestrian walkover. All six of the newly recorded sites were recommended as potentially eligible for listing in the National Register of Historic Places (NRHP) by the University of Tennessee.

A field reconnaissance was conducted by our staff in June 2001 to note the current conditions of the area, and relocated all of the sites, excluding 40MR266. Shovel tests were conducted at the upland sites, and the shoreline sites were reexamined. Due to extensive erosion and low density of artifactual remains, none of the sites have a potential to contain intact deposits and are considered ineligible for listing on the NRHP. It is probable that 40MR266 cannot be relocated due to the small component that was present and the erosion that has taken place.

TVA Cultural Resources staff has reviewed the Phase I draft survey report and disagrees with the recommendations of the authors. TVA Cultural Resources considers that 40MR266, 40MR562, 40MR563, 40MR564, 40MR565, 40MR566, and 40MR567 are ineligible for listing in the NRHP.

James Bird
Page 2
April 9, 2002

Table 1: List of Archaeological Sites Recorded on Parcel 94 and 95.

SITE	OCCUPATION	MATERIAL RECOVERED	LOCATION CONDITION
40MR266	Prehistoric	3 lithic flakes	Not relocated
40MR562	Prehistoric	2 lithic flakes	Severely Eroded
40MR563	Prehistoric	lithic scatter	Severely Eroded
40MR564	Prehistoric/Historic	1 lithic flake and Late 20th century	Severely Eroded
40MR565	Prehistoric/Historic	1 lithic flake and Mid 19th-Late 20th century	Razed; Severely Eroded
40MR566	Historic	20th century	Severely Eroded
40MR567	Historic	Mid 19th-Late 20th Century	Construction; Severely Eroded

Per the stipulations of the Memorandum of Agreement, please provide comments regarding historic properties within the project area that may have religious or cultural significance to EBCI. In addition, please respond within thirty (30) days to this office.

If you have any questions or comments please contact me or Eric Howard (865) 632-1403.

Sincerely,

J. Bennett Graham
Senior Archaeologist

Enclosures

cc: Ms. Jennifer Bartlett

Howard, Anthony Eric

From: Lee Clauss [leeclauss@nc-chokeee.com]
Sent: Monday, April 29, 2002 3:45 PM
To: aehowar5@tva.gov
Subject: Tellico/Vonore, TN EBCI Development

Eric,

I have reviewed the documentation you provided about the archaeological sites within the proposed development area and concur with TVA's determination of ineligibility for the NRHP for the following sites: 40MR266, 40MR562, 40MR563, 40MR564, 40MR565, 40MR566, and 40MR567. Furthermore, EBCI THPO is currently not aware of any areas/landscapes/sites of Cherokee traditional cultural or religious significance within the proposed project area (Tracts 94 and 95).

We appreciate being afforded the opportunity to consult on this project. Please provide additional information as it becomes available. If you should have any questions, please contact me.

Sincerely,

Lee Clauss
Historic Preservation Specialist
Eastern Band of Cherokee Indians-Cultural Resources/THPO
(828) 497-1589
(828) 497-1590 FAX



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

April 17, 2002

Mr. J. Bennett Graham
Tennessee Valley Authority
Cultural Resources
Post Office Box 1589
Norris, Tennessee 37828-1589

RE: TVA, ARCHAEOLOGICAL ASSESSMENT, EASTERN BAND CHEROKEE CONF.
CENTER, UNINCORPORATED, MONROE COUNTY, TN

Dear Mr. Graham:

At your request, our office has reviewed the above-referenced archaeological survey report in accordance with regulations codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739). Based on the information provided, we find that the project area contains no archaeological resources eligible for listing in the National Register of Historic Places.

Therefore, this office has no objection to the implementation of this project. If project plans are changed or archaeological remains are discovered during construction, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act.

Your cooperation is appreciated.

Sincerely,

Herbert L. Harper
Executive Director and
Deputy State Historic
Preservation Officer

HLH/jmb



JUN 08 2004

Doc Type: EA-Administrative Rec.
Index Field: Agency Comment
Project Name: Sequoyah Lodge & Marina
No: 2003-102

STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Division of Natural Heritage
14th Floor L&C Tower
401 Church Street
Nashville, Tennessee 37243-0447
Phone 615/532-0431 Fax 615/532-0231

June 2, 2004

Jon M. Loney, Manager, NEPA Administration
Environmental Policy and Planning
Tennessee Valley Authority
400 Wet Summit Hill Drive
Knoxville, TN 37902-1499

Subject: Environmental Assessment (EA) – Sequoyah Lodge and Lake Resort
Proposed Land Use and TVA Section 26a Request, Parcel 94 and 95
Tellico Reservoir, Monroe County, Tennessee

Dear Mr. Loney:

Thank you for your letter and enclosures of May 20, 2004 regarding the above mentioned draft EA. We have reviewed the information submitted and do not find any occurrences of rare, threatened, or endangered plant or animal populations documented from the immediate project area. Please keep in mind though, that not all areas of Tennessee have been surveyed and that a lack of records for any particular area is not a statement that rare species are absent from that area.

We thank you for considering Tennessee's rare species throughout the planning and implementation of this project. Should you have any questions, please do not hesitate to contact me at (615)532-0440.

Sincerely,

Kirstin Condict
Data Manager



RECEIVED
Environmental Policy and Planning

JUN 16 2004

TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

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

Doc Type: EA-Administrative Record
Index Field: Agency Comment
Project Name: Sequoyah Lodge
Project No.: 2003-102

June 8, 2004

Mr. Jon M. Loney
Tennessee Valley Authority
400 West Summit Hill Dr.
Knoxville, Tennessee, 37902-1499

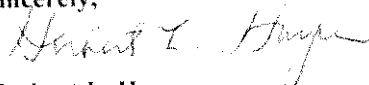
RE: TVA, SEQUOYAH LODGE & LAKE RESORT, UNINCORPORATED, MONROE COUNTY

Dear Mr. Loney:

In response to your request, received on Tuesday, June 1, 2004, we have reviewed the documents you submitted regarding your proposed undertaking. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. This Act requires federal agencies or applicant for federal assistance to consult with the appropriate State Historic Preservation Office before they carry out their proposed undertakings. The Advisory Council on Historic Preservation has codified procedures for carrying out Section 106 review in 36 CFR 800. You may wish to familiarize yourself with these procedures (Federal Register, December 12, 2000, pages 77698-77739) if you are unsure about the Section 106 process. You may also find additional information concerning the Section 106 process and the Tennessee SHPO's documentation requirements at www.state.tn.us/environment/hist/sect106.htm.

Based on available information, we find that the undertaking as currently proposed may affect historic properties eligible for listing in the National Register of Historic Places. We therefore recommend that your agency begin immediate consultation with our office to complete Section 106 review on this undertaking. This office will also need to review a cultural resources survey report for this project before any work commences. Questions and comments may be directed to Joe Garrison (615) 532-1550-103. Your cooperation is appreciated.

Sincerely,


Herbert L. Harper
Executive Director and
Deputy State Historic
Preservation Officer

HLH/jyg



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

June 25, 2004

Mr. J. Bennett Graham
Tennessee Valley Authority
Cultural Resources
Post Office Box 1589
Norris, Tennessee 37828-1589

**RE: TVA, CHEROKEE INDIANS CONFERENCE CENTER, UNINCORPORATED,
MONROE COUNTY**

Dear Mr. Graham:

Pursuant to your request, this office has reviewed documentation concerning the above-referenced undertaking received Monday, June 21, 2004. This is a requirement of Section 106 of the National Historic Preservation Act for compliance by the participating federal agency or applicant for federal assistance. Procedures for implementing Section 106 of the Act are codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739).

Considering available information, we concur that the project as currently proposed will not adversely affect any property that is eligible for listing in the National Register of Historic Places. Therefore, this office has no objection to the implementation of this project. Please direct questions and comments to Jennifer M. Barnett (615) 741-1588. We appreciate your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Herbert L. Harper".

Herbert L. Harper
Executive Director and
Deputy State Historic
Preservation Officer

HLH/jmb