

BRIEFING STATEMENT

Great Smoky Mountains National Park

Proposed North Shore Road

January 7, 2008

Background: Debate over whether a 34-mile road should be constructed dates back to World War II when an agreement was signed in 1943, between the Department of the Interior, the State of North Carolina, Swain County North Carolina, and the Tennessee Valley Authority. Under terms of this “1943 Agreement,” a new road to replace NC 288, which was flooded during construction of TVA’s Fontana Dam, would be built if Congress appropriated the funding. In the 1960’s the NPS constructed approximately 7 miles of the road before abandoning the effort due to environmental impacts and engineering problems. No further federal funding was received for the road until 2001 when \$16 million was appropriated to resume work on the project, triggering the current Environmental Impact Statement (EIS) process.

Public meetings to develop the EIS began in February 2003. The scoping process resulted in five alternatives: 1) No Action (i.e., no road – no resolution); 2) a monetary settlement agreement to replace the 1943 Agreement; 3) construction of a picnic area near the end of the current road Branch; 4) constructing 4 to 8 miles of new road to terminate at a recreational and educational facility along Fontana Lake at Bushnell; and, 5) building 29 to 34 miles of new road along a North Shore Corridor as called for by the 1943 Agreement.

A Draft EIS was released in January 2006. The DEIS did not include a Preferred Alternative, but stated that the Environmentally Preferred Alternative was to resolve the 1943 Agreement through payment of a monetary settlement in lieu of any further construction. Over 76,000 comments were received on the DEIS with the vast bulk being form emails/faxes generated by conservation groups opposed to the Road.

The Park published a Notice of Availability of the Final EIS in the *Federal Register* on October 2, 2007. The FEIS recommended the monetary settlement alternative.

Interested Parties/Interests: On March 28, 2007, Representative Heath Shuler, in whose district the road would be built, along with TN Senator Lamar Alexander sent a letter to Secretary Kempthorne supporting the monetary settlement alternative in lieu of further construction.

Since the beginning of the EIS process two of the four parties to the 1943 Agreement - the Swain County Commission and the Governor of North Carolina – expressed support for a monetary settlement in lieu of the road. TVA agreed that the NPS identified the correct Environmentally Preferred Alternative but did not support any agency alternative.

Current Status: On December 28, 2007 Paul Anderson, the Acting Southeast Regional Director of the National Park Service, signed a Record of Decision (ROD) that officially calls for a monetary settlement to Swain County, North Carolina. Representative Heath Shuler (NC) and Senator Lamar Alexander (TN) were successful in including \$6 million in the 2008 DOI budget which was signed on December 26, 2007 to be available as an initial payment to Swain County. Any additional funding called for in a new agreement would be subject to appropriation.

Next Steps/Strategy: A meeting is anticipated early in 2008 between a representative of the Secretary of Interior and representatives of the other three signatories to the 1943 Agreement to develop a new document to replace it.

In addition to supporting a monetary settlement, the selected alternative includes a commitment to maintain access and to continue transporting descendents to cemeteries on the North Shore of Fontana Lake. To support the long-term cost of maintaining the road access and providing this service the Park submitted a funding increase request during the FY 2009 NPS budget development process.

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