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**CITY OF LAKESITE RECREATION EASEMENT AND
WATER USE FACILITIES
FINAL ENVIRONMENTAL ASSESSMENT**
Hamilton County, Tennessee

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Symbols, Acronyms, and Abbreviations

APE	Area of Potential Effect
HPA	Habitat Protection Area
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
SHPO	State Historic Preservation Office(r)
TDEC	Tennessee Department of Environment and Conservation
TVA	Tennessee Valley Authority
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service

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CHAPTER 1 – PURPOSE AND NEED FOR ACTION

1.1 Background

The City of Lakesite, Tennessee (“City”) has requested from the Tennessee Valley Authority (TVA) the use of an approximately 49-acre tract on Chickamauga Reservoir to develop a public park. A vicinity map is provided as Figure 1-1. The subject property, identified as Tract XTCR-211RE (see Figure 1-2), is owned by the United States and under the control of TVA. The City requested a 30-year easement on the tract and approval under Section 26a of the TVA Act for the construction of water use facilities (a fishing pier, canoe/kayak launch, and a pedestrian bridge) associated with the proposed park and for the placement of approximately 200 linear feet of riprap for bank stabilization.

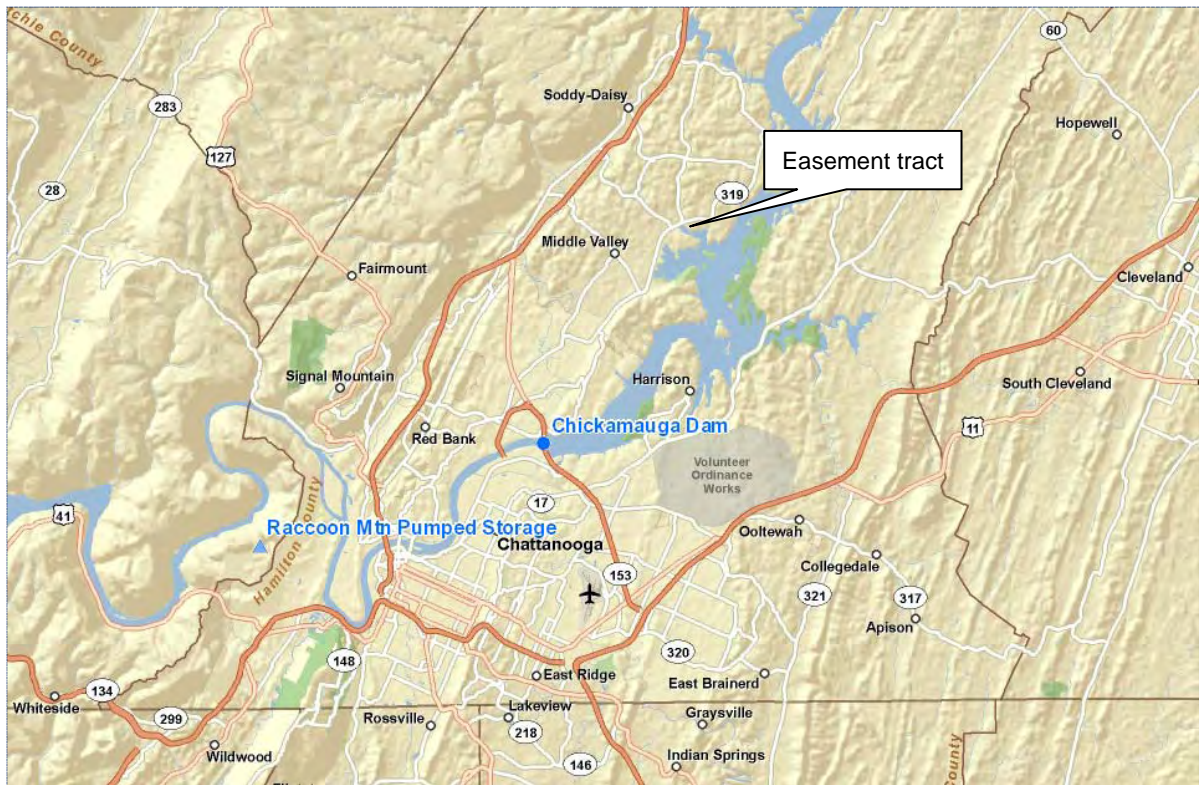


Figure 1-1. Vicinity Map of the Proposed Easement Tract

The City has also requested the United States Army Corps of Engineers (USACE) to issue necessary permits pursuant to Section 10 of the Rivers and Harbors Act of 1899 for the construction of a dock on waters of the United States and a permit under Section 404 of the Clean Water Act for the discharge of fill material associated with the placement of riprap and the installation of the canoe/kayak launch. A USACE permit is not required for the pedestrian bridge or the easement.



Figure 1-2. Aerial View of Tract XTCR-211RE

Actions Proposed by the City

The City proposes to establish a public park with minimal disturbance to the existing natural state of the tract or to the neighboring area. The proposed park would be a day-use facility that would provide opportunities for picnicking, fishing, bird watching, short nature walks, Frisbee golf, and limited water access. All park facilities would be constructed consistent with the requirements of the Americans with Disabilities Act. Park development would occur in two phases. Initial development in Phase I would consist of providing utilities (electricity, water, and sewer) to the site, grading and gravelling the existing access road, and constructing gravel sidewalks and parking lots for approximately 30 vehicles. Four additional parking places would be created for handicapped use. Utilities would connect to existing utilities running along Hixson Pike. Onsite, these utilities would be buried, either in the access road bed or along the road to provide access. Additional Phase I activities would include the creation of a playground and construction of a picnic pavilion with restroom facilities. These features would be located near the waterfront area. A primitive hiking trail would wind through the wooded eastern portion of the tract. A gate and signage would be erected at the entrance on Hixson Pike (State Route 319). The City would supplement its existing contract with the Hamilton County Sheriff's Department to patrol the park and lock the gate at dusk. Water-based amenities to be developed in the first phase include a canoe/kayak launch, a fishing pier, bank stabilization, and a pedestrian bridge and elevated walkway. These proposed actions are described below. The conceptual plan is provided as Figure 1-3.

- Canoe/kayak ramp - The proposed canoe/kayak ramp would be constructed using a mat of interconnected concrete blocks. The ramp would extend into the water and would be approximately 10 feet wide. Signage would indicate that launching would be restricted to canoes, kayaks, and other small craft launched manually. Launching boats using vehicles would be prohibited.



Figure 1-3. Conceptual Master Plan for the Proposed Lakesite Park

- Fishing pier - The proposed “T-shaped” fishing pier would extend approximately 50 feet from the shoreline and have a deck platform with dimensions of 70 feet by 10 feet. A 10-foot wide walkway would connect the main platform to the shoreline. The fishing pier deck elevation would be at least two feet higher than the normal summer pool elevation of Chickamauga Reservoir.
- Shoreline stabilization - Proposed shoreline stabilization would consist of rock-filled gabions (wire baskets) imbedded into the bank at the normal summer pool waterline. These gabions would be placed along approximately 200 feet of the shoreline at the proposed fishing pier.
- Pedestrian bridge and walkway - The City proposes to construct a pedestrian bridge over an unnamed tributary to Dallas Bay. This bridge would require TVA Section 26a approval. An additional pedestrian elevated walkway, also subject to Section 26a approval, would be constructed near the pedestrian bridge to avoid potential effects to wetlands. The proposed bridge does not require a USACE permit because it does not involve the discharge of fill material into waters of the United States.

Phase II development plans consist of paving the access road and adding additional restroom facilities, pavilions, a playground, and trails (see Figure 1-3). The actual amount of such proposed improvements would depend on public usage and the availability of funding. Because these activities would not occur on the waterfront and are not expected to impact waters of the United States, they are unlikely to require Section 26a approval or USACE permits.

Development of the proposed park would require removal of approximately 45 trees having diameters of 6 inches or greater. Approximately 70 dead pine trees onsite would be felled and chipped. The chips would be used for landscaping purposes. Additionally, the City would remove privet, an invasive shrub, in the area along Hixson Pike.

The potential environmental effects of constructing, operating, and maintaining the proposed facilities shown in Figure 1-3 were considered in this environmental review. However, any additional proposed facilities not identified in Figure 1-3, facilities requiring Section 26a approval, and any facilities not related to the development or enhancement of the tract for public recreation would be subject to further TVA review and approval.

1.2 Decisions to be Made

TVA will decide whether to grant the request for the easement, approve the construction of the proposed facilities, and issue the requested Section 26a approvals. The City could not proceed with the recreation development without securing the requested easement and approvals from TVA. The decision before USACE is whether to issue the requested permits for the proposed fishing dock, canoe/kayak launch, and bank stabilization.

1.3 Related Environmental Reviews and Documentation

TVA prepared the *Chickamauga Reservoir Land Management Plan* (TVA 1989) to determine the future use of the TVA-controlled shoreline property on Chickamauga Reservoir. Tract XTCR-211RE corresponds to Plan Tract 32 in the 1989 Plan and was designated for Public Recreation and for Forest Management.

In July 2011, TVA issued its *Natural Resource Plan* (TVA 2011) and the accompanying final environmental impact statement entitled *Natural Resource Plan, Alabama, Georgia, Kentucky, Mississippi, North Carolina, Tennessee, and Virginia* (TVA 2011a). TVA developed the Natural Resource Plan to guide its natural resource stewardship efforts. The land uses on Tract XTCR-211RE proposed by the City under the requested easement are consistent with the recreation management and forest resource management programs and policies described in the *Natural Resource Plan*.

1.4 Scoping and Public Involvement

1.4.1 TVA Public Notice

TVA posted a public notice on its website and published the notice (Appendix A) in the *Chattanooga Times Free Press* newspaper on September 2, 2010, to solicit comments on its proposed action to grant the City a 30-year easement. The public notice also announced a public meeting hosted by the Lakesite City Commission on September 21, 2010. Consequently, 23 letters, e-mails or facsimiles were received from 46 local residents. Additionally, the United States Environmental Protection Agency (USEPA) contacted TVA on behalf of an adjacent landowner.

1.4.2 United States Army Corps of Engineers Joint Public Notice

The USACE issued Joint Public Notice 10-44 (Appendix B) regarding the City's proposal on December 10, 2010. In a January 22, 2011, letter, USEPA provided site-specific comments based on information in the Public Notice and on comments it received from residents near the proposed project site. USEPA stated that the Public Notice did not provide an adequate alternatives analysis or justification of the least environmentally damaging practicable alternative and did not show adequate avoidance and minimization of impacts to aquatic resources. Thus, USEPA determined that the project does not comply with Clean Water Act Section 404 (b)(1) Guidelines and recommended denial of the project. USEPA also recommended preparation of an environmental assessment (EA).

A representative of the USEPA, along with staff from USACE and TVA, visited the site of the proposed easement on November 16, 2011. Following this site visit, USEPA informed USACE and TVA that with the exception of the elevated boardwalk for the trail, USEPA did not foresee any direct impacts to jurisdictional wetlands or onsite waters from the proposed project. USEPA recommended the use of natural design techniques in bank stabilization to maintain site aesthetics and the installation of vegetated buffer zones of 50 feet wherever possible to maintain site integrity and aesthetics and to prevent the encroachment of invasive plants. Additionally, USEPA recommended eradication of invasive plants (specifically privet) in conjunction with improvements in site access.

The United States Fish and Wildlife Service (USFWS) responded to the Joint Public Notice by letter of January 10, 2011 (see Appendix C), stating that records available to USFWS do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. Thus, USFWS concluded that requirements under Section 7 of the Endangered Species Act of 1973 are fulfilled. The Tennessee State Historic Preservation Officer (SHPO) responded to the Joint Public Notice in a letter of January 13, 2011 (Appendix C), stating that the SHPO concurs that no National Register of Historic Places (NRHP) listed or eligible properties would be affected by this undertaking.

1.4.3 Identification of Relevant Environmental Issues

TVA's granting of an easement and issuance of Section 26a approvals to the City are administrative actions that would cause few, if any, direct environmental effects. However, because the City's implementation of plans for the proposed park is contingent upon TVA action, the development and operation of the proposed park are related actions that fall within the scope of this environmental review. Thus, an analysis of the potential effects of the City's proposed actions is included in this environmental review.

All comments received from the public and other agencies sent in response to the public notices were analyzed. Many of the comments received from the public were opposed to the establishment of a park on TVA Tract XTCR-211RE. Many of those commenting questioned the City's financial ability to construct and maintain the proposed park and feared that taxes would increase as a result. Others questioned the City's ability to adequately police the proposed park. Several citizens stated that the City did not adequately consult its citizenry concerning the proposed park. Because these issues are matters between local government and citizens, and not relevant to TVA's decision, they were determined to be beyond the scope of the environmental analysis and were not considered further in the environmental assessment.

Based on comments from the public and on internal scoping, TVA and USACE determined that the following resources could be affected by the proposed action and are within the scope of the environmental review:

- Terrestrial resources (plants; animals; and terrestrial threatened and endangered species)
- Aquatic resources (water quality; wetlands; aquatic life; and aquatic threatened and endangered species)
- Recreation (local recreational opportunities, boat traffic, and site suitability)
- Community character (local aesthetic quality; traffic safety; potential for crime, abuse of neighboring property, and loud or illicit behavior; and environmental justice)
- Cultural resources (archaeological resources and historic structures/sites)

1.4.4 Public Review of the Draft EA

A draft EA was released on April 14, 2012 for public review and comment. A public notice regarding the availability of the draft EA was placed in the *North Hamilton Weekly* edition of the *Chattanooga Times Free Press* on April 18, 2012. Postcards announcing the availability of the draft EA were sent to those local citizens that had attended meetings about the proposed park or that had contacted TVA about the park. A listing of those individuals is included in Section 6.4. Appropriate federally recognized tribes were also informed. Copies of the draft EA were sent to two federal and three state agencies listed in Chapter 6.

An online comment system was provided to the public to record comments on the draft EA. A total of 18 commenters submitted comments online. Additionally, TVA received two e-mails about the proposed project, and two citizens provided comments via telephone. The USFWS provided written comments. The comments received and the responses to those comments are provided as Chapter 8.

1.5 Necessary Permits or Licenses

In addition to the necessary approvals from TVA, the City is required to obtain a permit from USACE pursuant to Section 10 of the Rivers and Harbors Act of 1899 for the construction of a dock on navigable waters of the United States. The City is also required to obtain a permit under Section 404 of the Clean Water Act for the discharge of fill material for the proposed boat ramp and riprap for bank stabilization.

The Tennessee Department of Environment and Conservation (TDEC) Division of Water Pollution Control authorized alterations to a wet weather conveyance (for the purpose of constructing the pedestrian bridge) by issuing a General Permit for the Alteration of Wet Weather Conveyances to the City's construction contractor. Likewise, TDEC issued a General Permit for Bank Stabilization and a General Permit for Construction of Launching Ramps and Public Access Structures for the proposed waterfront improvements. The effective dates for these three General Permits are July 1, 2010, until June 30, 2015.

CHAPTER 2 - ALTERNATIVES

A description of the proposed action and its alternatives, together with a brief comparison of their potential environmental effects, are contained in this chapter.

2.1 Description of Alternatives

Based on preliminary internal scoping, TVA has determined that from the standpoint of the National Environmental Policy Act (NEPA), there are two alternatives available. These are Alternative A (the No Action Alternative), and Alternative B (the Action Alternative).

2.1.1 Alternative A – The No Action Alternative

Under the No Action Alternative, TVA would deny the applicant's request for an easement over Tract XTTCR-211RE and would not issue the requested Section 26a approval for water use facilities. Likewise, under this alternative, USACE would neither issue the permit requested pursuant to Section 10 of the Rivers and Harbors Act of 1899 for the proposed construction of a fishing dock nor issue a permit under Section 404 of the Clean Water Act for the discharge of fill material for riprap and the proposed canoe launch.

Alternately, the applicant could choose to withdraw the requests. Nevertheless, in the absence of the requested easement, TVA Section 26a approval, and USACE permits, the proposed park facility would not be established under this alternative.

The land use designations for Plan Tract 32 in the *Chickamauga Reservoir Land Management Plan* (TVA 1989) are Public Recreation and Forest Management. Under the No Action Alternative, Plan Tract 32 would retain these current land use designations until the current land plan is superseded or revised. Thus, for the foreseeable future, TVA would continue to make this parcel available for dispersed public recreation use. Consistent with its *Natural Resource Plan* (TVA 2011), TVA could develop the property for public recreation use or entertain requests from responsible entities for such uses. As needed, TVA could implement forest resource management activities as outlined in the *Natural Resource Plan* (TVA 2011). Such actions would tend to complement the existing recreational, visual, and biological characteristics of the tract.

2.1.2 Alternative B – The Action Alternative

Under Alternative B, the applicant's request for the easement and Section 26a approval would be approved by TVA. Thus, TVA would grant a 30-year easement over Tract XTTCR-211RE with the provision that the property is used for public recreation. The onsite actions proposed by the City in developing the proposed park, including the felling of dead pine trees, the removal of invasive vegetation (privet), and the provision of improved site access, are consistent with the forest management actions and goals described in the *Natural Resource Plan* (TVA 2011).

Likewise, TVA would issue Section 26a approval for the proposed water use facilities (i.e., a fishing pier, a canoe/kayak launch, and a pedestrian bridge over an unnamed tributary to Dallas Bay) and shoreline stabilization as described above in Section 1.1. As conditions of TVA approval, the applicant would be required to implement specific measures to minimize or reduce potential environmental effects of the proposed project. These measures are listed in Section 2.3.

Under the Action Alternative, USACE would issue the requested Section 10 and Section 404 permits for the proposed fishing dock, bank stabilization, and canoe/kayak launch ramp.

2.1.3 Alternatives Considered but Eliminated From Further Discussion

2.1.3.1 Reallocate Plan Tract 32 as a Habitat Protection Area

Under this alternative, TVA would not grant the requested easement to the City or issue the requested Section 26a approvals, and USACE would not issue the requested permits. Consequently, the proposed park could not be established by the City.

Under the 1989 *Chickamauga Reservoir Land Management Plan*, the allocated land uses for Plan Tract 32 are Public Recreation and Forest Management. Several respondents to the public notices suggested that TVA establish a nature preserve, wildlife sanctuary or otherwise change the allocation of Plan Tract 32 so that it would be retained in a natural and undisturbed state. TVA establishes Habitat Protection Areas (HPAs) to protect rare plants and animals, exemplary biological communities, or unique geological features. Because of its small size and lack of sensitive resources (e.g., caves, rare species, unique habitats or unique features), this tract does not meet the definition of an HPA, and TVA does not believe that reallocation of the tract is a feasible or necessary alternative.

2.1.3.2 Dispose of Tract XTCR-211RE

Under this option, TVA would neither grant an easement to the City nor issue the requested Section 26a approvals. Likewise, USACE would not issue the requested Section 10 and Section 404 permits. Rather, TVA would sell its fee simple interest in Tract XTCR-211RE. Such a transaction would likely be at public action to qualified bidders. Disposal of the tract is predicated on the condition that TVA no longer considers the property necessary to carry out its programs and purposes and thereby has declared the property surplus. TVA does not consider the tract unnecessary to its operations and does not consider the property surplus at this time. Thus, this alternative was infeasible and was not considered further.

2.1.3.3 Grant an Easement over Tract XTCR-211RE but Deny Section 26a Approval and USACE Permits

Under this alternative, TVA would grant a 30-year term easement to the City for recreational use of Tract XTCR-211RE. However, TVA would not issue the requested Section 26a approvals, and USACE would not issue the requested permits. Therefore, construction of the waterfront facilities (fishing pier, canoe/kayak launch) and the proposed bank stabilization could not be undertaken. This option is contrary to the City’s desire to provide lake access to park users, and implementing it would limit the recreational opportunities afforded to park users. For these reasons, this alternative was determined to be infeasible and was not given further consideration in the environmental review.

2.2 Comparison of Alternatives

The environmental effects anticipated under the two alternatives considered are compared and summarized below in Table 2-1.

Table 2-1. Summary and Comparison of Alternatives by Resource Area

Resource Area	Impacts From the No Action Alternative	Impacts From the Action Alternative
Terrestrial resources	No changes from current biological conditions are likely to occur. No	Temporary disturbance of some resident wildlife from construction is

Resource Area	Impacts From the No Action Alternative	Impacts From the Action Alternative
	effects to any state-listed or federally listed threatened or endangered terrestrial or aquatic species. No effects to eagles, wading bird colonies or existing osprey nests are expected.	likely. Site would remain forested, but would have a more open forest understory. No effects would occur to any state-listed or federally listed threatened or endangered terrestrial species. No effects to eagles, wading bird colonies or existing osprey nests are expected.
Aquatic resources	No changes from current conditions are likely. No effects to wetlands or local aquatic life are expected. No effects to any state-listed or federally listed aquatic animals are expected.	Construction is not likely to adversely affect surface waters. No significant effects to adjacent wetlands or floodplain functions are anticipated. No effects to state-listed or federally listed aquatic animals are expected.
Recreation and natural areas	The site would remain available for dispersed recreational use; no additional local recreational opportunities would be provided. No effects to local recreational facilities are likely. No effects on local boating, Nationwide Rivers Inventory streams, Wild and Scenic Rivers or TVA HPAs are expected.	The proposed park would provide additional recreational opportunities, primarily for local residents. Local boating traffic is not expected to increase significantly. No effects to streams on the Nationwide Rivers Inventory or any Wild and Scenic Rivers. No effects to TVA HPAs are likely, due to distance.
Community character	Vehicular access to the site would remain restricted. Visual setting and noise levels would likely remain unchanged from current conditions. Likelihood of illegal or nuisance activities at the site would remain low.	Minor changes in the aesthetic character of the site could occur. Site would be vehicle accessible. Additional traffic on Hixson Pike would be minor. Likelihood of illegal or nuisance activities at the proposed park is low.
Cultural resources	No effects to historic properties, including the Trail of Tears, would occur.	No effects to historic properties, including the Trail of Tears, would occur.

2.3 Identification of Mitigation Measures

TVA would impose the following routine measures and terms as conditions of the easement and the approval of the water use facilities under Section 26a.

1. The City of Lakesite shall ensure that appropriate construction best management practices are implemented to prevent the introduction of runoff and sediment into surface waters.
2. Tract XTCCR-211RE shall be used exclusively for the purpose of public recreation. TVA reserves the right to terminate the easement agreement if, in its sole

discretion, TVA determines that the easement property is not being used for such purposes or if the park has become a public nuisance.

3. The City of Lakesite shall ensure that the use or application of any pesticides, including herbicides, on Tract XTZR 211-RE is implemented by qualified personnel and conducted in accordance with all label directions.
4. The City of Lakesite shall ensure that the floor elevation of the fixed dock shall be a minimum of 2.0 feet above the normal summer pool elevation 682.5.
5. The City of Lakesite shall ensure that any future facilities or equipment subject to flood damage shall be located above or flood proofed to the TVA Flood Risk Profile elevation 689.0.
6. The City of Lakesite shall ensure that any future development proposed within the limits of the 100-year floodplain, i.e., elevation 686.6, shall be consistent with the requirements of Executive Order 11988.
7. The City of Lakesite shall ensure that all future development on Tract XTZR-211RE undertaken during the term of the easement is be consistent with the requirements of TVA's Flood Control Storage Loss Guideline.
8. The City of Lakesite understands that TVA retains the right to flood any or all of Tract XTZR-211RE, and TVA will not be liable for damages resulting from flooding.

TVA would impose the following non-routine measure as a condition of the easement and approval of the water use facilities under Section 26a.

- To protect breeding birds and Indiana bats, all clearing of vegetation, including removal of trees, shall be restricted to occur between November 15 and March 31, inclusive. Felling of dead or dying trees or snags containing any active woodpecker nest is prohibited at any time that nest is active.

2.4 The Preferred Alternative

TVA's preferred alternative is Alternative B, the Action Alternative. Under Alternative B, TVA would grant a 30-year easement over Tract XTZR-211RE to the City of Lakesite and would issue Section 26a approval to the City for the proposed water use facilities.

CHAPTER 3 – AFFECTED ENVIRONMENT

The following environmental issues and concerns were identified based on internal scoping and on the analysis of comments received in response to the public notices. The potential effects to these resources from implementing the proposed action were evaluated.

3.1 Terrestrial Resources

Terrestrial resources, as considered here, consist of plant and animal life, including occurrences of any rare or unique species and their habitats.

3.1.1 Plants

The approximately 49-acre site is mostly forested with deciduous trees. However, some evergreens, mainly pines and eastern redcedars, occur in the understory. A recent insect infestation has killed many of the pine trees on the site. Many have already fallen; others remain standing but are likely to fall in the near future. Areas of privet, an invasive species, occur along Hixson Pike on the western side of the tract and along portions of the old access road. Tree cover comes to the edge of the summer pool along most of the shoreline. Because winter water levels are less than summer levels, the shoreline and much of the bottom of the slough is exposed in the winter months. The plants found onsite are typical of the local area.

3.1.2 Animals

Animals found on the proposed park site tend to be common and are typical of those in the area. Common terrestrial animals include opossums, skunks, squirrels and other rodents, and a variety of songbirds. Local residents have reported observing beavers and white-tailed deer in the area.

USFWS records indicate the presence of several watch listed and bird species of conservation concern on or near Tract XTCR-211RE. These birds include the rusty blackbird (*Euphagus carolinus*), Louisiana waterthrush (*Parkesia motacilla*), wood thrush (*Hylocichla mustelina*), red-headed woodpecker (*Melanerpes erythrocephalus*), yellow-billed cuckoo (*Coccyzus americanus*), prothonotary warbler (*Protonotario citrea*), worm-eating warbler (*Helmitheros vermivorus*), and Kentucky warbler (*Oporomis formosa*). USFWS records also indicate the presence of active osprey (*Pandion haliaetus*) nests near the site of the proposed easement.

There are two records in the TVA Natural Heritage database of wading bird colonies in Hamilton County. The closest colony is approximately 0.7 mile from the site of the proposed park. TVA records also indicate the presence of an osprey nest approximately 2.5 miles from the site. This nest is located on a navigation structure near the western shore of the reservoir.

3.1.3 Terrestrial Threatened and Endangered Species

A review of the TVA Natural Heritage database indicated that five rare plant species are known to occur within five miles of the proposed project. Occurrences of the large flowered skullcap (*Scutellaria montana*), which is federally listed as threatened, have been documented within five miles of the proposed park. The proposed park could potentially provide suitable habitat for the large flowered skullcap. Two state-listed as endangered plant species, i.e., nestronia (*Nestronia umbellula*) and tall larkspur (*Delphinium exaltatum*), are known from the vicinity but not from the site of the proposed park. Additionally, the

three-parted violet (*Viola tripartita* var. *tripartita*) and yellow jessamine (*Gelsemium sempervirens*), have been recorded in the area. These two plant species are considered to be of special concern in Tennessee. A field survey of the proposed park site was conducted on May 25, 2010. No state-listed or federally listed plant species were observed.

Review of the TVA Natural Heritage database in April, 2010, indicated that no federally listed terrestrial animals are known to occur within a three-mile radius of the project area. Although there are no records of occurrence for the federally listed as endangered gray bat (*Myotis grisescens*) in Hamilton County, there are approximately 20 caves within a ten-mile radius of the proposed park site that could be summer roosts for gray bats. Additionally, there are no records of occurrence for the federally listed as endangered Indiana bat (*Myotis sodalis*) in Hamilton County. However, trees with exfoliating or sloughing bark, including dead pines, may provide suitable summer roosting habitat for the Indiana bat. An additional field survey of the site in June, 2012, revealed that approximately ninety percent of the dead pines on the site have fallen. The bark on the remaining standing dead pines has sloughed off, and these trees are likely to fall with the next year or two. The highest quality potential Indiana bat habitat is found on the hill in the eastern portion of the tract. This area would be used for hiking, and virtually no vegetation removal or disturbance is anticipated in that portion of the tract.

One Tennessee state-listed terrestrial animal species, Bachman's sparrow (*Aimophila aestivalis*), is known to occur within three miles of Tract XTCD-221-RE. Bachman's sparrows prefer brushy patches within pine woodlands. This habitat does not occur in the project area.

There are no recorded caves, Designated Critical Habitats for terrestrial animals, or any other habitats that are unique or important to terrestrial animals within three miles of the proposed project.

The bald eagle (*Haliaeetus leucocephalus*) is no longer considered threatened or endangered, but it is protected under the federal Bald and Golden Eagle Protection Act. The nearest known eagle nest sites are over three miles distant. This species prefers to nest in tall conifer trees adjacent to large waterways, where it forages for fish. The project site is near suitable foraging habitat, and there is an abundance of such habitat in the area.

3.2 Aquatic Resources

Tract XTCD-211RE is situated at the head of the Dallas Branch arm of the Dallas Bay embayment of Chickamauga Reservoir at Tennessee River Mile 480.5. Water levels here vary approximately 5 to 7 feet between summer and winter. During the summer, the embayment is covered with shallow water (see Figure 1-2). However, as shown in Figure 3-1, wide mud flats are exposed in the upper embayment in the winter. Because of the shallow water in the upper reaches of the embayment, large beds of submerged aquatic plants typically become established in the summer months. These beds create cover for a variety of common warm-water game fish, as well as other common reptiles, amphibians and aquatic insects typical of the area.

3.2.1 Water Quality

The embayment fronting Tract XTCD-211RE is fed by two small, unnamed tributary streams. One stream enters at the western end of the property. This stream crosses under Hixson Pike via a box culvert and is channelized on the north side of the highway.

This stream has been monitored by the state for livestock watering and wildlife (fully supporting); irrigation (fully supporting); fish and aquatic life (partially supporting); and recreation (not assessed). The other stream also crosses Hixson Pike in a box culvert and enters the property slightly west of the entrance road on Hixson Pike. This stream has not been assessed for any designated uses.

TVA monitors water quality at four locations on Chickamauga Reservoir, and monitoring is usually done on a two-year cycle. The Dallas Bay area is not monitored specifically; however, monitoring is performed downstream near Chickamauga Dam and several miles upstream at mid-reservoir. With the exception of 2007, when there were uncharacteristically low flows, the ecological health rating of the reservoir was good from 1994 through 2009 (TVA 2011b). According to TDEC (2011), there are no advisories or restrictions on the consumption of fish in the vicinity of Tract XTCR-211RE.



Figure 3-1. Tract XTCR-211RE and Adjacent Embayment during Winter Reservoir Drawdown

3.2.2 Wetlands and Floodplains

TVA staff biologists conducted a site visit on June 1, 2010, to determine the presence, extent, and condition of wetlands on the site. An emergent, scrub-shrub, and forested shoreline wetland was identified in the upper reaches of the embayment (see Figure 1-3). According to the TVA Rapid Assessment Method for evaluating wetlands, the onsite wetland achieved a score of 60, which categorized it as a Category 3 wetland. Category 3 wetlands are considered of high quality or of regional or statewide concern. To avoid adverse effects to wetlands, the City made the following revisions to the original site plan.

- The canoe/kayak launch was moved to the south, such that it would be located beyond the boundary of the wetland.
- Necessary paths or trails within jurisdictional wetland areas would be constructed on elevated boardwalks.
- A 50-foot buffer around wetland areas would be established.
- Only native plant species would be used for landscaping and for the restoration of vegetation within the 50-foot wetland buffer.

- The location of the proposed parking lot nearest the entrance was shifted northward, and some parking places were eliminated to avoid encroachment into the 50-foot wetland buffer zone.

The 100-year floodplain at Tract XTCD-211RE is that area lying below elevation 686.6. The TVA Flood Risk Profile (FRP) elevation is 689.0. The FRP is used to control flood damageable development on TVA-controlled lands. Hamilton County has adopted the 100-year flood as the basis for its floodplain regulations, and any development is subject to these regulations.

3.2.3 Aquatic Life

As stated in Section 3.2, and as shown in Figure 3-1, portions of the upper Dallas Branch arm of Dallas Bay adjacent to the proposed easement area become exposed mud flats during the winter months. However, during the summer, these shallow water areas support a variety of typical aquatic life, including game fish, forage fish, amphibians (i.e., frogs), reptiles (snakes and turtles), and aquatic insects.

3.2.4 Aquatic Threatened and Endangered Species

A review of the TVA Natural Heritage database in May 2010 indicated that one federally listed as threatened fish, the snail darter (*Percina tanasi*), is known to occur within a 10-mile radius of the proposed easement. Additionally, three federally listed as endangered mussel species, i.e., the orange-foot pimpleback (*Plethobasus cooperianus*), the pink mucket (*Lampsilis abrupta*), and the rough pigtoe (*Pleurobema plenum*), have been reported to occur within ten miles of the proposed park site. The highfin carpsucker (*Carpoides velifer*), a fish that is state-listed as in need of management, and the Chickamauga crayfish (*Cambarus extraneus*), which is state-listed as threatened, are reported to occur within a ten-mile radius of the site. However, habitat to support these species is not present in the Dallas Bay area.

3.3 Recreation and Natural Areas

Two parks, Chester Frost Park, operated by Hamilton County, and the 1,200-acre Harrison Bay State Park, are located within three miles of the proposed park. Chester Frost Park is located within an approximate 1-mile radius (approximately 5 miles by road) to the south of Tract XTCD-211RE, and Harrison Bay State Park is located about 1.8 miles (direct distance) to the southeast on the opposite side of Chickamauga Reservoir. Chester Frost Park provides various recreational amenities including: shelters and a large pavilion; nine fishing piers; two boat ramps; 200 campsites; a swimming area with a sand beach; volleyball and tennis courts; playgrounds; restrooms; and picnic tables. Camping facilities include tent and recreational vehicle sites with and without water and electrical hook-ups. Harrison Bay State Park provides a wide range of recreational opportunities, including a marina, 128 recreational vehicle campsites with hook-ups, a golf course, a group campsite, hiking trails, a 100-seat meeting facility, three picnic pavilions, and a swimming pool.

TVA has established HPAs on property it controls to protect rare plants, animals, exemplary biological communities, or unique geological features. TVA HPAs within a five-mile radius of Tract XTCD-211RE include Chigger Point HPA, Three Bs HPA, Fairview Slope HPA, and a portion of Soddy Creek HPA. All of these areas are at least four miles away from Tract XTCD-211RE.

3.4 Community Character

The City of Lakesite is located approximately 15 miles north of downtown Chattanooga. Lakesite was incorporated in 1972, and has a population of approximately 2,000 people and an area of about 1.7 square miles.

Within 10 miles of the proposed park, minorities comprise about 18 percent of the population, according to the 2010 Census of Population (<http://www.census.gov/>). This is well below the Hamilton County share of 28.0 percent, the state share of 24.4 percent, and the national share of 36.3 percent. The poverty level in this area is about 11 percent, also lower than the Hamilton County level of 14.7 percent, the state level of 16.5 percent, and the national level of 13.8 percent. Most of the census tracts with relatively high shares of either low-income or minority residents are located within the outer bounds of the 10-mile range, about eight or more miles from Tract XTCT-211RE.

3.4.1 Aesthetic Character

Much of the property surrounding Tract XTCT-211RE is residential. The homes in the area tend to be upper middle-class to large, up-scale waterfront residences. Several commercial establishments are located along Hixson Pike to the north of the property. Thus, the tract serves as a greenbelt within a residential area having some commercial development.

3.4.2 Traffic

Hixson Pike borders the northern edge of Tract XTCT-211RE, and vehicular access to the proposed park would be via Hixson Pike. Hixson Pike is a four-lane state route along the tract. However, it narrows to a two-lane highway as it leaves the tract and approaches Lakesite. Traffic counts for Hixson Pike in the area between the Hunt Road and Dallas Hollow intersections with Hixson Pike indicate the annual average daily traffic is 9,389 (Tennessee Department of Transportation 2010).

Level of service (LOS) is a standardized descriptor of the operational conditions within a traffic stream. Derivation of the LOS for a highway segment includes average highway speed, lane width, shoulder width, and road alignment. There are six levels, which are described as LOS A through LOS F. LOS A is defined as the highest quality of service that a particular class of highway can provide. It is a condition of free flow in which there is little or no restriction on speed or maneuverability caused by the presence of other vehicles. The LOS on Hixson Pike at the entrance to the proposed park is LOS A. However, the LOS for Daisy Hollow Road immediately north of Hixson Pike is LOS D (approaching unstable flow). The two-lane section of Hixson Pike east of the Daisy Hollow intersection is LOS C (at or near free-flow traffic conditions).

3.4.3 Public Safety and Security

Law enforcement for the City of Lakesite is provided by the Hamilton County Sheriff's Office. Fire protection and medical first responder services are provided by the Dallas Bay Volunteer Fire Department. Hamilton County provides emergency medical services.

According to local residents, the site of the proposed park was previously frequented by juveniles and was the source of concern by those residents. However, once vehicular access to the site was blocked by the installation of a highway guardrail on Hixson Pike, this situation ceased.

3.5 Cultural Resources

Cultural resources include archaeological resources as well as historic structures and sites. Such resources are protected under various laws, including the National Historic Preservation Act (NHPA), the Archaeological Resources Protection Act, and the Native American Graves Protection and Repatriation Act.

3.5.1 Archaeological Resources

The archeological area of potential effects (APE) was determined to be all areas within Tract XTCR-211RE proper. A Phase I archaeological survey (Vogel and Guymon 2010) was conducted in accordance with the requirements of Section 106 of the NHPA. One archaeological site (Site 40HA561) was recorded as a post review discovery during the public comment period. Site 40HA561 is a late nineteenth to early twentieth century homestead. TVA determined that site 40HA561 is ineligible for the NRHP due to lack of research potential. In a letter dated August 17, 2012 (see Appendix C), the Tennessee SHPO concurred with TVA's determination. A portion of the historic Trail of Tears, i.e., the Taylor's and Brown's Trail of Tears Route, (Site 40HA475) borders the northern edge of the proposed project area. The City proposes to maintain the property in a natural setting with existing tree cover and would not introduce any visual alterations to this portion of Site 40HA475.

3.5.2 Historic Structures and Sites

The architectural APE was determined to be that area within a 0.5 mile radius of the tract. During the architectural survey, four structures over 50 years of age were identified within the architectural APE. These structures are not within the line-of-sight of the project area. Due to alterations and their lack of architectural significance, these structures are considered ineligible for listing in the NRHP.

CHAPTER 4 – ENVIRONMENTAL CONSEQUENCES

4.1 Terrestrial Resources

4.1.1 Alternative A

Under Alternative A, the No Action Alternative, TVA would neither grant the requested easement over the property nor issue Section 26a approval for the requested water use facilities. Similarly, USACE would not issue the requested permits under the No Action Alternative. Lacking the necessary easement and Section 26a approval from TVA, and Section 10 and 404 permits from USACE, the City could not develop the proposed park. Consequently, Tract XTCR-211RE would remain in its current condition for the foreseeable future. Land use on the tract would not change, and the land would retain its current TVA land use allocation (Public Recreation and Forest Management) at least until the current land plan for Chickamauga Reservoir is either superseded or revised.

For the foreseeable future, the tract would remain available for dispersed recreation. No active forest management is likely. No significant changes or effects with respect to terrestrial resources, including threatened or endangered species, are anticipated. Nevertheless, if any changes did occur, they would not likely be the result of TVA action. Similarly, no indirect or cumulative effects to terrestrial life, including birds of conservation concern, are anticipated as a result of TVA actions under this alternative.

4.1.2 Alternative B

Under Alternative B, the Action Alternative, TVA would grant the requested easement and Section 26a approval to the City, and USACE would issue the requested Section 10 and Section 404 permits. Consequently, the proposed park would be developed. To create open activity areas, building sites for pavilions, and parking areas, the City proposes to fell about 70 dead pine trees and remove privet (an invasive woody shrub) along Hixson Pike and the access road. Approximately 45 trees with diameters six inches or greater would be removed. Thus, there would be a slight change in the existing plant community from a primarily forested area to a combination of small open areas and forest with an open understory. Some clearing would occur along the access road. However, virtually all the tract to the east of the access road would remain in its current forested state. Thus, the majority of the tract would remain in forest. Because the City plans to remove existing privet and since revegetation would be accomplished with native or non-native, non-invasive plant species, this project is not likely to facilitate the spread of exotic or invasive plant species. No uncommon terrestrial plant communities are known from the area, and none are expected to be affected by creation and operation of the proposed park.

Construction activities associated with establishing the proposed park could temporarily disturb resident wildlife. However, these activities would be short-term, and common, local wildlife species would likely return after construction activities are complete. Most local wildlife species have adapted to a residential environment, thus, human disturbance from day-use activities at the proposed park is not likely to significantly affect or displace local resident wildlife species.

As stated in Section 3.1.2, eight watch-listed or bird species of conservation concern may occur on or near Tract XTCR-211RE. The Louisiana waterthrush, woodthrush, yellow-billed cuckoo, prothonotary warbler, worm-eating warbler, and the Kentucky warbler are summer residents of suitable habitats in the region. These species migrate south during

the winter months. However, the rusty blackbird migrates from Alaska and Canada, where it breeds, and overwinters in much of the eastern United States. The red-headed woodpecker is a year-round resident of much of the United States. To avoid adverse effects to birds, especially migratory breeding birds, tree removal and felling of dead trees would be restricted to the winter months (see Section 2.3), when these species are not present. Breeding activities of rusty blackbirds would not be affected because they do not breed in the eastern United States. To avoid affecting red-headed woodpeckers, no trees containing active woodpecker nests would be felled (see Section 2.3). Thus, no “take¹” of watch-listed or bird species of conservation concern is likely or anticipated.

A field survey did not reveal the presence of any state-listed or federally listed plant species on the proposed park site. Similarly, no suitable habitat for the state-listed Bachman’s sparrow, the only listed terrestrial animal known from the area, occurs on the site. As stated in Section 3.1, there are no historical or recent records of Indiana bats occurring within 10 miles of the proposed park site or from Hamilton County. Indiana bats prefer to find roosting habitat under slabs of sloughing tree bark. Although dead pines can provide such suitable Indiana bat roosting habitat, most of the dead pines on Tract XTCCR-211RE have fallen, and the bark has already sloughed from those dead pines that are still standing. Thus, scant suitable Indiana bat roosting habitat exists on the tract. Nevertheless, as stated earlier in Section 2.3, to avoid potential effects to Indiana bats and potential roosting habitat for this species, removal of trees, including any remaining trees that could provide suitable roosting habitat, would be done between November 15 and March 31, when the bats are hibernating in caves. Because of the limited amount of alteration of shoreline vegetation along Tract XTCCR-211RE, no effects to the availability of suitable foraging habitat for Indiana bats or gray bats are anticipated.

Thus, implementation of the Action Alternative would not affect any state-listed or federally listed terrestrial animals. Although the proposed park site is adjacent to suitable foraging habitat for bald eagles and ospreys, establishment and operation of the park are not expected to adversely affect these species due to the abundance of foraging habitat locally. Construction activities associated with the proposed park would not affect any unique or important terrestrial habitats such as caves, Designated Critical Habitat, or uncommon terrestrial plant communities because no such resources are known to occur within three miles of the proposed park site.

Because the closest wading bird colony is 0.7 mile from the proposed park site, no effects to this colony are likely. For similar reasons, the nearest osprey nest would not be affected.

4.2 Aquatic Resources

4.2.1 Alternative A

Under the No Action Alternative, Tract XTCCR-211RE would remain in its current condition. Thus, there would be no foreseeable direct effects to local aquatic conditions, including water quality, wetlands, floodplains, and aquatic life, from adopting this alternative. Any future changes in local surface water quality, wetlands, floodplains or aquatic life would be due to circumstances and conditions other than TVA action.

¹ As used here, “take” is defined as “to pursue, hunt, shoot, would, kill, trap, capture, or collect, or any attempt to carry out these activities.” Alteration of habitat does not constitute take, provided there is no direct taking of birds, nests, eggs, or parts thereof.

4.2.2 Alternative B

Phase 1 and Phase 2 activities to install buried utility lines and the site preparation and construction of park facilities, such as parking lots and pavilions, would incorporate appropriate best management practices to reduce or eliminate the potential for runoff into adjacent waters. Construction of the waterfront facilities (i.e., canoe/kayak launch, fishing pier, and bank stabilization) would likely be undertaken during the winter months when better access would be afforded by lower water levels. Thus, construction and maintenance of these facilities is not likely to adversely affect water quality beyond a minor extent. Utilities, including electric power, water, and sewer, would be buried in the access road or adjacent to the roadway for easy access. Toilet facilities for the proposed park would connect to the Hamilton County Waste Water Treatment Authority system, which is located adjacent to the property. Thus, no contamination of groundwater is anticipated.

As stated in Section 3.2.2, the City revised site plans to avoid potential adverse effects to adjacent wetlands. Although a portion of the existing access road is within the proposed wetland buffer, TVA considers its current location the least environmentally damaging location for the road. The only direct wetland impacts would consist of the proposed boardwalk crossings on trails. Therefore, no significant adverse effects to wetlands are anticipated under Alternative B, and the proposal is consistent with the requirements of Executive Order 11990 (Protection of Wetlands).

The proposed canoe/kayak ramp, the fishing pier, the shoreline stabilization, the pedestrian bridge, and some sidewalks would be located within the 100-year floodplain (i.e., below elevation 686.6). Consistent with Executive Order 11988 (Floodplain Management), these are considered repetitive actions in the floodplain that would result in minor impacts to floodplain functions. The underground utilities, parking areas, access roads, some of the sidewalks, and the pavilions and restrooms would be located beyond the 100-year floodplain. Based on information provided by the City, the pavilions and restrooms would be located on ground outside the 100-year floodplain and above the TVA FRP elevation. The proposed action would comply with the TVA Flood Storage Loss Guideline because there would be less than one acre-foot of displaced flood control storage. To ensure that development on Tract XTCR-211RE would not adversely impact floodplains or increase flood risk, TVA would include measures 4 through 8 (see Section 2.3) as conditions of the Section 26a approval and as terms of the easement agreement.

Because appropriate best management practices would be implemented during construction of the proposed inland facilities (e.g., parking areas, pavilions, and trails), the potential for runoff and transport of sediment to local surface water is minimal. Thus, no adverse effects to local aquatic life from construction are anticipated. Onsite operations at the proposed park are not expected to introduce water pollutants that would adversely affect local water quality or aquatic life. Boating opportunities afforded by the park would be limited to canoes, kayaks, and other small craft. Thus, any adverse effects to local aquatic life from recreational boating originating from the proposed park are expected to be minor and insignificant.

With the exception of the highfin carpsucker, all of the state-listed or federally listed endangered, threatened, or special concern aquatic animal species known to occur within ten miles occur downstream of Chickamauga Dam or outside the subject watershed. The highfin carpsucker is known from the main portion of Chickamauga Reservoir. Because the proposed park is over a mile from the main channel, the proposed action would not cause

any habitat disturbance in the main body of the reservoir. Thus, there would be no effects to any state-listed or federally listed aquatic animal species under Alternative B.

4.3 Recreation and Natural Areas

4.3.1 Alternative A

If Alternative A were adopted, the proposed park would not be established and the additional recreational opportunities that would be provided by the park would be foregone. However, TVA would continue to make Tract XTCR-211RE available for dispersed recreation use. Because of the limited vehicular access to the site, recreational access to the site would necessarily be from adjacent properties or by boat. Thus, future recreational use is likely to be light under Alternative A.

The designated uses of Plan Tract 32 for Public Recreation and Forest Management, as established in the *Chickamauga Reservoir Land Management Plan* (TVA 1989) would remain under this alternative. Any actions undertaken by TVA to enhance recreational opportunities or to protect forest resources would be accomplished consistent with the *Natural Resource Plan* (TVA 2011).

4.3.2 Alternative B

Creation of the proposed park would afford additional recreational opportunities for the local community in the form of a day-use facility. The site could also provide additional educational and recreational opportunities for local school groups. The proposed park is intended to provide informal, short-term recreational opportunities. As such, the proposed park is not expected to impinge on the recreational opportunities at other local parks such as Chester Frost and Harrison Bay State Park, which offer various developed recreational opportunities such as RV camping, boating, swimming, and ball fields.

The proposed park would have a canoe and kayak launch facility. Boating use originating at the proposed park is expected to be light and centered in the local embayment. Due to low water conditions during the winter, most water use is likely to occur during the warmer months. Because the embayment is mainly a shallow-water area, it is not an especially suitable area for larger power boats. Thus, the amount of boat traffic in the immediate area, primarily the number of power boats, is not expected to increase significantly due to the presence of additional small watercraft launched from the proposed park.

Tract XTCR-211RE, which corresponds to Plan Tract 32 in the *Chickamauga Reservoir Land Management Plan*, is allocated for Public Recreation and Forest Management. Currently, the tract receives only light informal recreational use, primarily due to restricted vehicular access. The proposed use of the tract as a day-use community park is consistent with TVA's zoning of the area for public recreation. Although the proposed park would be open to anyone, it is expected to be used mainly by local residents.

No streams listed on the Nationwide Rivers Inventory are located on the site of the proposed park or in the vicinity. Likewise, no Wild and Scenic Rivers are located in the vicinity. Thus, establishment of the proposed park would not affect those waters.

Although four TVA HPAs occur within five miles of the site of the proposed park, no effects to any of these natural areas are expected because all of these HPAs are at least four miles distant from the site.

4.4 Community Character

4.4.1 Alternative A

Under the No Action Alternative, the proposed park site would remain in its current condition, and its visual and aesthetic character would likely remain unchanged for the foreseeable future. Vehicular access to the tract from the highway would remain closed, and TVA would continue to allow dispersed recreational use of the site.

Because there is no vehicular access, Tract XTCR-211RE is not currently subject to regular police patrol. Although the possibility exists for illegal or nuisance activities to occur, the lack of recent reports indicates that such actions are uncommon and would be unlikely on the property in the foreseeable future under the No Action Alternative.

4.4.2 Alternative B

Under the Action Alternative, development of the proposed park would cause some minor changes in the visual character of the site due to the construction of buildings and the creation of open areas. The presence of buildings and other facilities would be most apparent to neighboring residents during the late fall and winter, following leaf fall. However, the site would likely retain its forested character. Noise generated from park uses would likely be slightly above current background levels in the immediate area. However, because most use is likely to occur in the warmer months, when ambient outdoor noise is highest, the overall contribution to local noise levels from the park would be minor and insignificant.

Vehicular access to the proposed park would be from Hixson Pike. The park would have approximately 30 regular parking spaces and an additional four spaces reserved for handicapped visitors. Although delays could occur if all vehicles were either entering or leaving the park at the same time, traffic on Hixson Pike would not likely be affected, as a contribution of 34 vehicles to the existing traffic load on this highway is negligible.

Law enforcement and police patrol of the proposed park would be the responsibility of the Hamilton County Sheriff's Department. The park would be day-use only, and would be locked at night. Thus, unauthorized use of the park for unintended or illicit activities is unlikely. However, in the event that the park becomes a public nuisance or is used for purposes beyond those originally intended in the easement agreement, TVA could exercise its right to terminate the easement and return the site to its former condition (see Section 2.3).

The presence of nearby public recreation opportunities can affect the market value of local real estate, usually positively. The presence of the proposed park is not expected to affect local real estate markets or assessed property values noticeably. Because the proposed park would be available to the public and because its operation would be financed from local tax revenues, no disproportionate adverse effects to any minority or economically disadvantaged populations are anticipated. Thus, the proposed action is consistent with the requirements and intent of Executive Order 12898 (Environmental Justice).

4.5 Cultural Resources

4.5.1 Alternative A

Because there would be no change from current conditions under Alternative A, no direct, indirect or cumulative effects to cultural resources are expected from adopting this alternative.

4.5.2 Alternative B

No archaeological sites were identified onsite during the survey. TVA considers the four structures over 50 years old within the viewshed ineligible for inclusion on the NRHP due to alterations to these structures and lack of architectural significance. The City proposes to maintain the proposed easement property in a natural setting with existing tree cover. Even though some trees would be removed, there would be no noticeable changes to the visual character along Hixson Pike, and no visual alterations would be introduced to the Trail of Tears. TVA has determined that no historic properties would be affected by the undertaking.

Pursuant to Section 106 of the National Historic Preservation Act, TVA sought the concurrence of the Tennessee SHPO. The Tennessee SHPO concurred with TVA's findings in letters of November 4, 2010, and August 17, 2012 (Appendix C). TVA also consulted with the following federally recognized Indian tribes regarding properties that may be of religious and cultural significance and eligible for the NRHP: Cherokee Nations, Eastern Band of Cherokee Indians, United Keetoowah Band of Cherokee Indians in Oklahoma, Muscogee (Creek) Nation of Oklahoma, Kialegee Tribal Town, Alabama-Coushatta Tribe of Texas, Alabama-Quassarte Tribal Town, Thlopthlocco Tribal Town, Seminole Tribe of Florida, Seminole Nation of Oklahoma, Absentee Shawnee Tribe of Oklahoma, Eastern Shawnee Tribe of Oklahoma, and the Shawnee Tribe. Responses stating no objection to the proposed project were received from the Eastern Shawnee Tribe of Oklahoma and the United Keetoowah Band of Cherokee Indians in Oklahoma.

4.6 Cumulative Impacts

The creation of additional recreational opportunities, especially water-based recreation, could result in more boaters in the Dallas Bay embayment. However, because of the shallow water in the vicinity of the proposed park and because the park would offer no docking or landing facilities for power boats, significant increases in motorized boat traffic are unlikely and are not expected due to the presence of the proposed park.

4.7 Unavoidable Adverse Environmental Impacts

Construction activities associated with the proposed park could cause short-term displacement of resident wildlife. Clearing activities for parking areas, facilities, and activity areas would create openings in a primarily forested area. However, these changes would be minor, and are not expected to cause significant changes in local wildlife habitats or populations. Similarly, construction would generate minor amounts of fugitive dust and noise. However, these adverse effects would be minor and temporary in nature.

4.8 Relationship of Short-Term Uses and Long-Term Productivity

The allocated uses of the proposed easement site under the *Chickamauga Reservoir Land Management Plan* are Public Recreation and Forest Management. No consumptive uses of onsite resources are planned or foreseeable under either alternative. The proposed use of Tract XTZR-211RE as a day-use park is consistent with the tract's allocation and the intended use for the property. Although the use of Tract XTZR-211RE over the next 30 years or more for public recreation would preclude use of the site for other planned uses for the duration of the easement agreement, this term use is not likely to adversely affect the long-term productivity of the site.

4.9 Irreversible and Irretrievable Commitments of Resources

As used here, irreversible commitments of resources include the use or consumption of non-renewable resources as a result of a decision or implementing a proposed action. For example, extraction of ore is an irreversible commitment. Irretrievable commitments involve the use or commitment of resources for a long period of time. An example of an irretrievable resource commitment is the loss of timber production on a newly cleared transmission line right-of-way through a previously forested area. In that case, removal of the right-of-way would eventually result in the restoration of forest land and timber productivity.

Construction and operation of the proposed park facilities would result in the irreversible commitment of certain fuels, energy, and building materials. TVA's issuance of a term easement on Tract XTCR-211RE would constitute an irretrievable commitment of land resources and land use for the duration of the easement agreement. However, because the proposed recreational use of the tract is consistent with the planned and intended use, these commitments would likely have minor and insignificant effects with respect to land use. The felling of approximately 45 live trees, the removal of approximately 70 dead trees, and the removal of patches of privet to create openings for park facilities would constitute a minor loss of forest habitat for the life of the proposed park.

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CHAPTER 5 – LIST OF PREPARERS

5.1 NEPA Project Management

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James F. Williamson Jr.

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5.2 Other Contributors

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Patricia B. Cox

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Involvement: Aquatic Ecology and Aquatic Threatened and Endangered Species

RaSharon M. King

Position: Watershed Representative
Education: B.S., Forestry, MPA
Experience: 19 years in Land Management
Involvement: Project Coordination

Holly G. LeGrand

Position: Biologist/Zoologist
Education: M.S., Wildlife; B.S., Biology
Experience: 8 years in Biological Surveys, Natural Resource Management, and Environmental Reviews
Involvement: Terrestrial Ecology and Threatened and Endangered Species

Mark S. McNeely

Position: Program Manager
Education: M.S., Education; B.S., Biological Sciences
Experience: 18 years in Resource Stewardship; 6 years in Environmental Education
Involvement: Document Layout and Publishing Coordinator

Sabrina L. Melton

Position: Project Manager, Special Land Use Projects
Education: M.S., Recreation Administration; M.S., Business Administration; B.S., Recreation and Tourism Management
Experience: 9 years Recreation Research and Administration
Involvement: Recreation Resources

Roger A. Milstead, P.E.

Position: Program Manager, Flood Risk
Education: B.S., Civil Engineering
Experience: 36 years in Floodplain and Environmental Evaluations
Involvement: Floodplains

W. Chett Peebles, RLA; ASLA

Position: Specialist, Landscape Architect
Education: Bachelor of Landscape Architecture
Experience: 23 years in Site Planning, Design, and Scenic Resource Management; 5 years in Architectural History and Historic Preservation
Involvement: Visual Resources and Historic Architectural Resources

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CHAPTER 6 – ENVIRONMENTAL ASSESSMENT RECIPIENTS

6.1 Federal Agencies

U.S. Environmental Protection Agency, Atlanta Georgia

U.S. Fish and Wildlife Service, Cookeville, Tennessee

6.2 Federally Recognized Tribes²

Absentee Shawnee Tribe of Oklahoma, Shawnee, Oklahoma

Alabama Quassarte Tribal Town, Wetumka, Oklahoma

Alabama-Coushatta Tribe of Texas, Livingston, Texas

Cherokee Nation, Tahlequah, Oklahoma

Eastern Band of the Cherokee Indians, Cherokee, North Carolina

Eastern Shawnee Tribe of Oklahoma, Seneca, Missouri

Kialegee Tribal Town, Wetumka, Oklahoma

Muscogee (Creek) Nation, Okmulgee, Oklahoma

Seminole Nation of Oklahoma, Wewoka, Oklahoma

Seminole Tribe of Florida, Clewiston, Florida

Shawnee Tribe, Miami, Oklahoma

Thlopthlocco Tribal Town, Weleetka, Oklahoma

United Keetoowah Band of Cherokee Indians in Oklahoma, Tahlequah, Oklahoma

6.3 State Agencies

Tennessee Department of Conservation, Water Pollution Control, Nashville, Tennessee

Tennessee Historical Commission, Nashville, Tennessee

Tennessee Wildlife Resources Agency, Nashville, Tennessee

6.4 Individuals³

Joe E. and Judy Bailey, Lakesite, Tennessee

Judy Bailey, Lakesite, Tennessee

Paula Bonner, Lakesite, Tennessee

Kim Bracket, Hixson, Tennessee

Edward F. Brannon, Hixson, Tennessee

Virginia Brannon, Hixson, Tennessee

Scott F. and Mary C. Bussey, Soddy Daisy, Tennessee

² Tribes were informed of the availability of the draft document.

³ Individuals were informed of the availability of the draft and the final document by mail or by e-mail.

Lakesite Recreation Easement

Jim Cofer, Hixson, Tennessee
Terry and Diane Conley, Hixson, Tennessee
Charles T. and Janet Dobson, Lakesite, Tennessee
Valiera Feldman, Hixson, Tennessee
David and Terrie Ann Flewellen, Lakesite, Tennessee
Steve Gross, Hixson, Tennessee
Catherine and Tommy Henderson, Hixson, Tennessee
Charles and Gail Herport, Lakesite, Tennessee
Jeanne Hinchee, Hixson, Tennessee
Rudy and Sharon Hogan, Lakesite, Tennessee
John and Elaine Holden, Soddy-Daisy, Tennessee
Joan Kirby, Soddy-Daisy, Tennessee
Wayne Kohlmann, Lakesite, Tennessee
John and Vivian Marty, Lakesite, Tennessee
Raymond D. Mayfield, Hixson, Tennessee
Linda Plott Miller and William D. (Chip) Miller, Hixson, Tennessee
John Mullin, Lakesite, Tennessee
Michelle Olson, M.A., Hixson, Tennessee
Kathleen Peters, Lakesite, Tennessee
Kent Ready, Lakesite, Tennessee
George Rockefeller, Lakesite, Tennessee
Al Rosamond, Hixson, Tennessee
Alvin and Melissa Rosamond, Hixson, Tennessee
Dan Scannell, Lakesite, Tennessee
Bob Sheets, Hixson, Tennessee
Kelly M. Sheets, Hixson, Tennessee
Michael D. and Tina R. Smith and family, Hixson, Tennessee
Robert I. and Darlene Smith, Hixson, Tennessee
Linda Sprouse, Lakesite, Tennessee
Tammy Sprouse, Lakesite, Tennessee
Elaine Swafford, Ph.D., Hixson, Tennessee
Ben Swann, Lakesite, Tennessee
Trey White, Lakesite, Tennessee
Mark S. Wojnovich, Soddy-Daisy, Tennessee

CHAPTER 7 – LITERATURE CITED

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- Tennessee Valley Authority. 1989. Chickamauga Reservoir Land Management Plan. Resource Development Group. Norris, Tennessee.
- Tennessee Valley Authority. 2011. Natural Resource Plan. Available at: <http://www.tva.gov/environment/reports/nrp/index.htm>
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CHAPTER 8 – COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT AND RESPONSES TO COMMENTS

8.1 Comments on the Draft Environmental Assessment

Comments on the draft environmental assessment were received from a total of 21 individuals. These comments are presented below in alphabetical order based on the commenter's last name. Comments are presented as received. Comments on the draft document were also received from the USFWS. That letter and the responses to the Service's comments are provided in the Section 8.2.1 of this chapter. Similarly, responses to the public's comments are provided in Section 8.2.2.

Name: C. Sam Armour

Received 05/14/2012 via online comment system

Comments: I am retired TVA and live very close to this proposed park location. I have attended several Lakesite board meetings to protest the building of this park. It adds nothing that our existing County, State and Federal parks, each with their own tax burden, already provide, except more tax liability for us the Lakesite residents. Tax liability for the initial development and more tax liability to maintain, initially, for the 30 year easement period requested. Why would we want additional tax liability as Lakesite residents to provide space for the general population of this area/state? Even TVA has closed some of their own recreational areas to reduce TVA'S cost to provide this exact same type of public access. Lakesite does not have its own police force (County patrol contracted to perform this task) to monitor and control unsavory activity on this location. This location is accessed off the very heavily traveled Hixson Pike, with connecting avenues to Hwy 127, thus very convenient for every type of illegal activity that requires an easily accessed meeting place, and with no permanent police enforcement on site, or closer than a county patrol car.

Protest were abundant at each Lakesite board meeting to the extent information was not forthcoming even about the board meeting agenda. i. e. you could call city hall and not be able to find out what in fact was on the board meeting agenda. Our only recourse was to attend each meeting in defense of allowing this topic to proceed without expressing our opposition. The board would not address park issues if opposition was present at meetings, under the guise of this topic is not on the agenda. Needless to say there was never intent by the board for the Lakesite residents to get a vote on this issue. Only the good ol' boy backroom meetings of our elected officials have put this plan together, without consideration of the overwhelming citizen protest at special park information meetings and with signed petitions.

There are traffic issues that become involved since the park road access to Hixson pike is in the area that Hixson Pike changes form four lanes to two lanes. You can already get run off the road driving north during the transition to two lanes, if you happen to attempt merging in front of an inconsiderate/jerk of a driver in the adjacent lane. TVA should be fully aware of its own employee

traffic adding to the congestion on Hixson Pike to the Sequoyah Plant. Just trying to access Hixson Pike at a normal two way intersection is already a challenging issue for us residents, most any time of the day, and especially during shift change hours at Sequoyah.

FYI: I had a Lakesite commissioner tell me that this park was important, because his kids did not enjoy going to Chester Frost Park, with its swimming area, boat launch ramps, tennis courts, hiking trails, camping, picnic pavilions, full time county maintenance personnel on site, full time management on site, etc. I feel sorry for his kids if they can't enjoy one of the nicest Hamilton County parks that we have and certainly don't see any advantage, only more illegal activity and tax burden, to adding another park with lesser amenities.

Name: Edward Brannon

Received 05/18/2012 via online comment system

Comments: I have lived at this address for the past 40 years and very concerned with the proposed park that Lakesite has applied for a while back. I live on the water across from the proposed dock that will be built. My biggest concern is the security of the park at night. There will be none. We have had major problems with unsecured docks at night in the past and some have been life threatening. Uncontrolled teens and younger end up finding these deserted docks and meet and do whatever. In the past it has been major alcohol and drugs problems. On one occasion a teen overdosed and 911 was called and he was taken to the hospital.

Beside the security problem, this is not a good place for a waterfront park. The water is very shallow even in the Summer. there is no water in the Winter. The whole slew has a weed problem in the Summer.

The wildlife that is in that area now is great. We see Owls, Bald Eagles, Beavers, Deer, and many other species of wild life. Most of this would leave.

Please do not give this permit

Thank you for taking this comment.

Name: Scott and Mary Bussey

Received 05/13/2012 via online comment system

Comments: We do not support the Lakesite Recreation Easement. Our community has a wonderful area already established near the Lakesite Town Hall and another area is not needed or wanted due to the problems it will bring. Some of our concerns are as follows:

* No security after dark when needed most. There will be a rise in crime such as vandalism and theft due to extra traffic from people who do not live in our community.

* Liability concerns from injuries at the proposed park that will result in lawsuits which would raise taxes.

- * Non-paved roads will be a problem and require more maintenance.
- * Extra maintenance costs will also raise our taxes.
- * Taxes will also be raised from 'borrowing more money' as mentioned by one of the commissioners in an earlier meeting.
- * Lakesite residents have not been given a vote on this issue. Why hasn't the City gotten this on a ballot? The elected officials of Lakesite have not contacted the residents about this proposal. Most Lakesite homeowners do not know about these plans. It has not been proposed properly and we find this unacceptable.
- * And the most important reason of all: the wildlife that takes refuge in the wetlands. Please allow them to have an area to allow them to thrive.

Name: Charles and Janet Dobson

Received 04/24/2012 via e-mail

Comments: In addition to the below items I would like to recommend consideration be made to authorizing Lakesite to dredge/backhoe fill material out of the edge of the lake which is dry land during the winter low water season to use as fill material to elevate the road and other areas. This would enhance the use of the park water features and reduce the cost for making the required park raised elevation enhancements.

The proposed easement states this is to be daytime use facility with access from Hixson Pike. As mentioned below ATVs are already crossing our private properties to access this site. When a fishing area is enhanced people will be cutting across our properties to go fishing. Recommend the easement include provisions that the City of Lakesite provide necessary fencing to enforce entrance only from the Hixson Pike entrance area.

Attached previous e-mail (04/24/12)

I walked through this proposed site several weeks ago and looked around the old historic homesite located there in. There are several old building remains and north east of the site there is an old dug well. It is about 3 feet in diameter and approximately 20 feet deep. This is a hazard in that someone can fall into it and not be able to get out. Recommend TVA take immediate action to secure this well. Additionally if this is given as a recreational easement it would be good if Lakesite could preserve this old well. Lately people have been running ATVs through this property and they tend to tear up the area. Consideration should be given to restricting such use.

My property borders this tract of land for 3-400 feet at the end of Driftwood Road. I will not be happy if it becomes a dirt track for noisy ATVs.

Name: Anatoly Feldman

Received 05/15/2012 via online comment system

Comments: I am against Lakesite Recreation Easement.

1. It will destroy wildlife in area.

2.It's absurd to spend taxpayers money for this park, when we already have very nice Chester Frost Park with more amenities that you could have in proposed park which will be within a couple miles distance. Whoever come with this idea is so careless with spending our money, especially without letting citizens to vote on the issue.

Name: Charles and Gail Herport

Received 04/20/2012 via online comment system

Comments: I am against City of Lakesite building a park on Chickamauga Reservoir. We already have a park by a small lake and swimming pool and gave a field for baseball, soccer etc. and a pavilion for meals. At present the city does not maintain the park it has. It has vandalism and problems maintaining grounds. This property is well away from City Hall and the community proper. This will lend itself to more of a problem of maintenance and policing the area. This will entail spending a good amount of tax money for upkeep. I believe the property would not be a good waterfront park for Lakesite.

Name: Al Hockert

Received 05/15/2012 via e-mail

Comments: I attended the first meeting on this matter at the Lakesite town hall which was some time back. All of the folks on Albemarle Dr., on which I have a dock, who attended were not in favor of seeing this done. The reasons ranged from destruction of wildlife habitat, privacy, to increased traffic in Dallas Bay.

According to Lakesite officials the use of boats would be limited to types powered by oars, paddles, peddles, or sail. I find it hard to believe that there are many from the city's 700 homes who own such craft, and therefore fear that within a year there would be a clamor to allow wave runners, bass boats, and etc.

This would serve only serve to crowd a bay that already demonstrates significant traffic.

For the record, I do not like the thought of having the City of Lakesite proceed with this plan.

Name: Rudy Hogan

Received 04/22/2012 via online comment system

Comments: The vast majority of residents are opposed to this park. We were told that this project had been cancelled. Has it been cancelled? Or is it still in progress?

Name: Brittany Killian

Received 05/21/2012 via online comment system

Comments: I feel that this project is a great opportunity to bring not only aesthetic value to this area of Lakesite, but also provide a place where the community can enjoy themselves and families can come together. It would also provide a great place for young people to get together and participate in recreational activities, instead of being bored and getting into trouble. I believe that this area would be widely used and appreciated by the public. There isn't really any place around that area that supplies all of the recreation benefits that have been proposed, at least not all in the same location. I would personally make use of this recreational area if built.

Name: Joan Kirby

Received 05/18/2012 via online comment system

Comments: This is to express my support of TVA granting an easement for the Lakesite community waterfront park. Providing access to this waterfront property will offer the community opportunities for various forms of recreation that are not currently available. It will help stimulate the local economy by offering prospective merchants more security as they consider locating their businesses in Lakesite. It is my sincere hope that this easement will be granted.

Name: Wayne Kohlmann

Received 05/17/2012 via online comment system

Comments: I believe that having a park in the proposed location is redundant since there is a wonderful county park just a few miles away. The entrance from Hixson Pike could create a dangerous intersection as it transitions from four lanes to two lanes right at this area.

Name: Ben Lake

Received 05/18/2012 via online comment system

Comments: I am NOT in favor of the Lakesite Park. Some of the reasons are as follows:

1. I live approximately 120 yards from the proposed park. There will most likely be more drunks; drug users; and crime in the park area near my home just like all other public parks.

2. The park will be expensive to build roads; lighting; docks; ramps etc. plus maintain the facilities, so that means more tax money will be needed from the Lakesite tax payers. Are the Hamilton County Sheriff's dept. going to patrol the park for police coverage?

3. We have a perfectly good County park just about 3/4 miles from Lakesite which is maintained and patrolled for safety. We in Lakesite don't need another park so close to build and maintain.

4. The only place I know of to build a road into the proposed park is off Hixson

Pike across from Dallas Hollow Road. This area appears to be wetland, thus a road could interfere with this wetland.

Name: Vivian Marty

Received 05/09/2012 via online comment system

Comments: I am a resident/homeowner at 1984 Warwickshire Drive and do strongly oppose the proposal for TVA issuance of a 49 acre parcel on Chickamauga Reservoir to Lakesite Recreation. This proposed easement would be turned into a park thus allowing a normally quiet peaceful neighborhood to be changed by loud noise as well as upsetting the eco-environment of the area. Another negative of the park would be the reduction of home values in the subdivision. Please consider the fact that we already have a very nice county park within 5 miles of our homes as well as the wonderful Lakesite park located in Lakesite subdivision. It is my request for this proposal to issue the 49 acre parcel to Lakesite Recreation to be denied.

Name: A. E. Masters

Received 05/15/2012 via online comment system

Comments: I support the project. This is an outstanding idea that Lakesite is providing to the local community. There is no nearby lake access for the general public, unless you have a house on the lake or live in a subdivision that has access rights for the residents who live there. The location will be easy to access from Hixson Pike and will allow families an opportunity to enjoy nature and the outdoors. My kids and their friends kayak, canoe, fish, hike, and love the outdoors. This will provide a nearby location to access the lake without having to drive to the other side of the lake.

This site will also help the Lakesite business community. People who want to fish will buy fishing supplies from here rather than going elsewhere. People will buy drinks and food and take them to the picnic areas to spend the day.

I don't necessarily agree that the site should close at dusk since fishing at night is a favorite pass time of our family and many other people as well. I feel very safe in the area around Lakesite and Soddy Daisy. I believe that with adequate lighting and periodic police patrols, the area should be allowed to stay open. Other locations around the lake are open at night and this location should be as well.

Name: Jim Masters

Received 05/21/2012 via online comment system

Comments: I think this is a great asset to the area. The location is easy to access and will be a good family recreation area for the surrounding community. Lots of families in this area fish, canoe, and kayak and I am pleased that we will not have to go as far to find a public access to the lake. Since other public areas around the lake do not close at night, I am confused as to why this one would

need to. Night fishing is a popular time and this would be a great place to allow it. This area is a safe area and is not subject to any activities that could not potentially occur anywhere else. Until the area is abused, I think it should be allowed to stay open rather than requiring someone to lock it up nightly and possibly causing someone who is out fishing to have to find a different way out of the area.

I am glad that day areas for family use and hiking are also included at this location. A good use of a piece of lake property that is not being used and that can now allow everyone the opportunity to enjoy it.

Name: Linda Miller

Received 05/17/2012 via online comment system

Comments:

To: TVA

From: Linda Miller

Regarding: City of Lakesite

Date: May 17, 2012

In regard to the City of Lakesite's request to develop property on Dallas Branch Slough, I strongly request that the TVA deny the City's request. My reasons are detailed below in a letter I sent to the TVA on September 26, 2009. The letter was signed by additional residents of Albermarle Drive. I would assume that the letter is on file with the TVA, but I am resubmitting it here.

Sincerely,

Linda Miller

September 26, 2009

Mr. Andrew Lawson
Chickamauga and Hiwassee Watershead Team
1101 Market Street
Chattanooga, Tennessee

Atten: PSC-IE 37407

Re: XCR 32 PT

Dear Mr. Lawson:

Please accept our thanks for your assistance and that of Angela Sims regarding our questions about TVA land tract XCR 32 PT. We certainly appreciate your willingness and patience in providing information.

As we discussed, many residents of Albermarle Drive have always appreciated the exceptional work of the Tennessee Valley Authority in the management of Lake Chickamauga. We consider ourselves privileged to be residents of the lake and are aware of its great beauty when compared to other lakes not managed by the Tennessee Valley Authority, such as Lake Lanier in Georgia.

The undersigned residents of Albermarle Drive do have, however, some concerns regarding the TVA tract XCR 32 PT, which is on the shore of Dallas Branch Slough opposite Albermarle Drive. It is our understanding that the City of Lakesite intends to apply to TVA to lease the property in order to convert it into a day park.

Lakesite Recreation Easement

It is our request that the Team instead re-allocates the property—described in the document titled, “Tract No. 32-(50.29 ac.)” as “public recreation” and/or “forestry management,” —to the “wildlife habitat” allocation, which you and I discussed on August 25. We also request that the Team immediately provides us with instructions for formally requesting this re-allocation.

Many of undersigned residents of Albermarle Drive attended a meeting held by the City of Lakesite on Tuesday, July 28. At that meeting, Mayor Robert Mullins informed the residents of Albermarle Drive who were attending that the City of Lakesite intends to apply for a TVA lease in September. The Mayor presented a landscape design for the property prepared by Barge, Waggoner, Sumner and Cannon, Inc. The design graphic included lawn area, Frisbee golf course, picnic facilities, restrooms, trails and boat ramps. We believe that in order to prepare this design, the City of Lakesite has had the property surveyed, as evidenced by mowing and survey markers. Please note that as of today, September 22, the most recent meeting minutes posted on the City of Lakesite’s Web site are dated July 21; therefore, no minutes of the meeting with Albermarle Drive residents are posted making public our questions or objections.

Resulting from conversations that you and I had and from my conversations with Ms. Simms, it is my understanding that the Chickamauga and Hiwassee Watershed Management Team has received no formal application from the City of Lakesite regarding its request to develop the property, although the City of Lakesite has made informal contact with your office.

If the City of Lakesite does make formal application for control of the property, the residents of Albermarle Drive respectfully request that the Chickamauga and Hiwassee Watershed Management Team carefully considers any application from the City of Lakesite for the reasons detailed below. We also request that within 24 hours of any application received from the City of Lakesite the Team informs all residents of Albermarle Drive in writing that the City of Lakesite has made such request and that a copy of the request be provided.

As you know, Dallas Branch Slough is a narrow, shallow slough that has water only in the summer months. Because the slough is fed by Dallas Branch, the slough is already highly stressed by runoff from Hixson Pike. That runoff is contaminated by solid debris and, no doubt, chemical contamination generated by Hixson Pike. While many of the residents of Albermarle Drive try to be good stewards of the slough by—with our own labor and at our own expense—removing solid waste. Solid waste generated by a park created by the City of Lakesite will greatly increase solid waste in the slough beyond our ability to voluntarily help remove.

We have no way, of course, to contribute to the abatement management of any chemical runoff into the slough, now or in the future, although the residents of Albermarle Drive—including young children—swim in the slough. We believe that the City of Lakesite’s landscape design will greatly increase the chemical waste stress on the water of Dallas Branch Slough by increasing the chemical runoff from the design’s grass areas, parking lots and septic-tank restrooms.

In addition, we believe that wildlife on this property is a very valuable environmental resource and that this property should remain undisturbed as a TVA-allocated wildlife habitat. The TVA document titled, “Tract No. 32-(50.29 ac.)” , states that “Public waterfrontage in this region of the reservoir is rare, and this is one of the few TVA retained tracts in this highly urbanized area.” Nationwide, as we know, wildlife is a quickly diminishing resource, especially in urbanized areas. Dallas Branch Slough is home to a multiplicity of wildlife, including deer, turtles, fish, and waterfowl. Waterfowl include Canadian geese, duck, osprey, and blue heron. Residents have also noted that eagle have made the slough a fishery. The upland and wetland habitat of this wildlife would be destroyed by the City of Lakesite’s construction plans. We believe that TVA would best serve the community—and future generations—by ensuring in its mission statement that this and other TVA undeveloped property be allocated permanent sanctuaries for wildlife.

In addition, the document titled, “Tract No 3-(50.29 ac.)”, which we believe was published in 1989, is, therefore, out of date. The document states that “The tract also has good potential for forestry use” and discusses the possibility of harvesting trees. The undersigned residents of Albermarle Drive strongly disagree with this possibility; harvesting would also destroy the wildlife habitat. We do believe, however, that TVA’s best-practices in forestry management, when applied in this area, would conserve the area as a wildlife sanctuary and would benefit the community as a whole for generations.

Further, Tract No. 32-(50.29) also states that “As funds are available, TVA plans to develop this tract as a day-use recreational area. Development is anticipated for the long term.” The undersigned residents of Albermarle Drive believe, again, that this plan from 1989 is out of date, as we also disagree with the City of Lakesite’s stated intention to develop the property, for the reason below.

We believe that the community already has a more than adequate recreational facility in the form of Hamilton County’s Chester Frost Park, the entrance of which is 3.9 miles from the entrance of Albermarle Drive.

We believe that the City of Lakesite’s intention to create a day park on TVA’s tract SCR 32 PT is an unnecessary development of “one of the few TVA retained tracts in this highly urbanized area”

because Chester Frost Park already is a large and well-developed recreational facility. According to Hamilton County's Web site, the park is described as being 455 acres in size. It provides nine fishing piers, two boat ramps, 200 camping sites, a swimming area with sand beach, a volleyball court, four pavilions with a capacity of 300, picnic tables throughout the park, free-standing grills and fire rings at various locations, benches throughout the park, four playgrounds with equipment, and restroom facilities throughout.

As residents of Albermarle Drive, we request that the TVA Chickamauga and Hiwassee Watershed Management Team requires the City of Lakesite demonstrates the need for a day park in such close proximity to Chester Frost Park. Intentions are not enough; statistical data should be required.

In addition, Hamilton County is well able to continue the financial support of the excellent facility that Chester Frost Park is. The residents of Albermarle Drive question the long-term ability of the City of Lakesite to accept the financial responsibility of a facility developed on TVA property. We encourage the TVA Chickamauga and Hiwassee Watershed Management Team to require the City of Lakesite to demonstrate its long-term financial ability to sustain a second park; it already has one, as stated by Mayor Mullins during the meeting of July 28. As a resident of Albermarle Drive present at the July 28 meeting noted, "If this park does not work out, who is going to have to live with the mess? We are." As another resident stated, "The damage done to this property could take more than my lifetime to recover."

As we have stated above, the residents of Albermarle Drive greatly appreciate the TVA's very responsible management of Lake Chickamauga as part of our nation's natural heritage. We also consider ourselves participants in this responsibility and, therefore, respectfully request the following:

1. Again, as requested above, we believe that the TVA's best-practice management of this property is to re-allocate it as a TVA protected wildlife habitat.
2. We request that the Team immediately provides us with instructions for requesting that the property be re-allocated to "wildlife habitat."
3. We request that the Chickamauga and Hiwassee Management Team notifies us immediately in writing of any application the City of Lakesite—or any other intently—makes to develop the property, along with a copy of its application.
4. We also request that we be notified immediately and in writing of any consideration by the TVA of change in allocation of the property.

Thank you for your patience and cooperation. Please give our best regards to Ms. Sims and all the members of the Chickamauga and Hiwassee Watershed Management Team.

Sincerely,
Linda Plott Miller, M.A.; and William D. (Chip) Miller
1844 Albermarle Drive
Hixson, TN 37342

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Jeannie Hinchie
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Al Rosamond
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Lakesite Recreation Easement

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Kim Bracket
1902A Albermarle Drive
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Michelle Olson, M.A.
1906 Albermarle Drive
Hixson, TN 37342

Terry and Diane Conley
2026 Carolana Circle
Hixson, TN 37342

Name: Kathleen Peters

Received 05/09/2012 via telephone

Comments: Trash and litter currently accumulate on the mudflats, and that having a park there would only make this worse.

The park would cause shoreline erosion.

Security and onsite law enforcement would be problems. The City would not be able to provide proper security.

Traffic on Driftwood Lane would increase, especially if an access point to the park is allowed there.

Boat traffic in the slough would increase - wake problems with personal docks and boathouses.

Could a No Wake Zone be established?

Name: Kent Ready

Received 05/08/2012 via telephone

Comments: The park is not needed. Chester Frost Park is nearby, and the city park that the City of Lakesite does operate is not used and not maintained properly.

The City does not have the financial or managerial wherewithal to operate the proposed park.

The park would cost too much of the taxpayers' money.

The City would not be able to provide proper security. The park would become a hangout for undesirables. The frisbee golf course would become a haven for drug users.

The activity at the park (both onshore and on the water) would be a nuisance, especially to the waterfront homes in the area.

The park would be used primarily by "outside" people, i.e., people not from Lakesite, that don't pay taxes in Lakesite.

ATVs are accessing the property now from Driftwood Lane (across Mr. Ready's property). The park would cause trespassing and vandalism.

There would be trespass and vandalism to boathouses and docks near the proposed waterfront area.

Would a fence be constructed along the perimeter?

Name: Kent Ready

Received 05/13/2012 via online comment system

Comments: The City of Lakesite does not have the planning capability, fiscal resources or expertise to design, plan, build or maintain a park of this magnitude in a manner that would accomplish TVA's recreation goals or to provide the benefit stated in the Public Notice. The public would be best served by having this land remain with TVA for recreation in its natural state. The way this land is situated along Hixson Pike, buried in the woods, and not adjacent to any of Lakesite's residential streets defeats any argument for a 'City Park' that would be used by children and families of Lakesite. It is adjacent to residential property that would be threatened by such a park. The park would be accessed only by persons in motorized vehicles for other purposes such as drinking, loud noise, vandalism, trash dumping, drug use and illicit sexual activity in the 'pavilions.' The architect's plan even calls for a Frisbee golf course, a known haven for marijuana users.

The map and master plan do little to reinforce the notion stating, "The master plan proposes a plan to minimally disturb the natural state of the land." Indeed, it proposes to cut trees, excavate dirt to build dusty gravel roads, clear for large areas of lawn, construct pavilions with sewage systems, bring in underground utilities and generally make the pristine land into a parking area on secluded wooded land near a busy road that just begs illegal activity. The City has no plan to police this area after dark. It even encroaches on wetlands. Contrary to the City's plan to "avoid wetland and shoreline impacts to the maximum extent possible," the impacts will be real and severe. Prudent environmental methods preclude disturbing wetlands. Runoff from the gravel roads would further deteriorate lake water quality.

There is no real desire or need for this proposed park. There is already a fine recreation area in the Hamilton County park only a short distance away for use by Lakesite residents that offers more facilities, maintenance, recreation and support than the City of Lakesite can provide. I disagree with the City's plan to divert public funds to the proposed park; funds that should be used for infrastructure items such as sidewalks, sewers, street lights, drainage, etc. The proposed park would not benefit the tax paying residents. There was tremendous opposition by residents at 'informational' meetings at City Hall earlier attended by only those selected by the City. A suggestion was made that the City poll the entire residency for comments on their Park plan but the City leadership refused, rather, they chose to keep most people uninformed. This is a serious issue for the residents of Lakesite. ?

Other opposition comments:?

- ?• An expenditure and continuous maintenance expense of this magnitude should be put to a vote of the people. The City has avoided that.
- As the proposed park plans for swimming in the lake, no one would want to swim in the shallow muddy water choked with aquatic weeds that this proposed park fronts.
- The plan calls for a boat launch for kayaks and canoes. The proposed boat launch would create unwanted motorized boating activity deep in the slough, both night and day.
- Theft and vandalism will become a burden on all those within the perimeter of the proposed park boundaries.
- The proposed boat dock left un-policed at night would attract loud raucous activity that will disturb all residents in the area.
- The park plan includes building a frisbee golf course. That would attract illegal drug users. In support of that position, see posts on a typical 'stoner' website: <http://www.stonerforums.com/lounge/sports-hobbies/3784-disc-golf.html>
- The City of Lakesite will be liable for injuries and loss arising out of their facilities resulting in higher taxes.
- Maintenance costs will dictate tax increases. Borrowing more money was mentioned by one of the commissioners in an earlier meeting. Stewardship of TVA's land would suffer.
- Lakesite's finance commissioner is against this park; a clear indication of what's ahead if this goes through.
- In addition to a County funded park (Chester Frost Park) only a few miles down the road, for resident's recreation, the City of Lakesite already has a park within the Lakesite subdivision, accessible to foot and bicycle traffic that few residents use. A swimming pool also exists in the Lakesite subdivision for residents. Maintenance of the existing Lakesite facilities has not been stellar.
- The proposed park on TVA land is available for use by the residents now in its pristine state, always has been. No need to build facilities. If anything, the City should petition TVA to designate the land as a nature preserve.
- Traffic safety issue. There is already tremendous danger when entering Hixson Pike from our neighborhood and the proposed park traffic would greatly enhance the existing danger.
- Lake water in the proposed area for this park is very shallow but provides an excellent area for fish and wildlife and should be left in its natural state.

- Since the park is not accessible from the actual residential areas, people will no doubt be trespassing on residents' property in order to enter the park from the residential streets.
- The Barge Waggoner plan does not include a fence to separate the park from the adjoining residential properties. An attractive, tall fence would be an absolute necessity in order to shield the residents from park activity.
- TVA's Draft Environmental Assessment section 2.3 on page 11 allows for termination of the easement if TVA determines that the easement property becomes a public nuisance. This 'park' would indeed become a public nuisance. The condition would ultimately be exercised and the City of Lakesite will have spent millions of dollars for naught.

Name: Daniel Scannell

Received 05/16/2012 via online comment system

Comments: As a resident I object to the project. It is a waste of taxpayers money. It will be an attraction to undesireables as a hang out. Security will be costly for an isolated area with no natural observers to see the activities.

Name: Kelly Sheets

Received 05/14/2012 via online comment system

Comments: As a resident of Albermarle Drive, I thoroughly enjoy our peaceful neighborhood. I enjoy watching the numerous types of wildlife abundant throughout Dallas Branch Slough. This slough has been private as long as the residents of Albermarle Drive have been here and the addition of a public park threatens that peacefulness and privacy, making us visible to an extremely busy Hixson Pike. As mentioned in the Environmental Assessment, 3.4.1 Aesthetic Character, 'Much of the property surrounding Tract XTCR-211RE is residential. The homes in the area tend to be upper middle-class to large, up-scale waterfront residences. Several commercial establishments are located along Hixson Pike to the north of the property.' Should a disc golf course be developed, most of the commercial areas will be visible from our houses, as well as the thousands of cars traveling Hixson Pike. The current trees and wetlands create a buffer between our front yards and the busy commercial areas and Hixson Pike.

In addition, I am extremely concerned in regards to what effects the destruction and development of the aforementioned park will have on the wildlife and habitats. Legislation has been developed to ensure the safety of wildlife such as the American Bald Eagle, the Great White Egret, and the Blue Heron. Not only do the birds listed above frequent this slough, they share it with wildlife such as the Barred Owl, the American Beaver, the Mallard, the Canada Goose, the White-tailed Deer, and numerous turtles and bullfrogs, all of which are permanent and/or migratory residents of this slough. Phase I of the park's construction, specifically the leveling of the land, will rid our community of the majority of that wildlife.

Water runoff is an additional concern many of the residents have. Because the

slough is fed by Dallas Branch, it is already stressed with water runoff. The runoff is already contaminated with many different little types. A public park will just add to an already existing issue that most residents of Albermarle take upon themselves to clean annually. I would be interested in seeing a plan developed by the City of Lakesite to ensure their waste clean up will not become our responsibility.

Dallas Branch Slough does not have year round water. Common sense tells me that such a park should not be developed in an area where the city leasing from TVA will only have, at best, six months of peak participation due to access restraints throughout the remainder of the year. The canoe launch and fishing pier will sit idle at least half of the calendar year.

If the lack of water isn't enough to discourage this development, the presence of aquatic weeds during peak months should be plenty. Aquatic weeds surface to the top of the water if not treated. This is yet another expense that Lakesite residents should be informed of prior to any park development. Currently, residents of within Dallas Branch slough spend thousands of dollars during the summer to treat the water. It is a necessity in order to enjoy our docks, swim, and maneuver our watercrafts. The City of Lakesite has not mentioned this nuisance and therefore I have to wonder if they have plans to treat the water. If not, I don't see anyone utilizing this park.

Lakesite's anticipated six month spike in taxable revenue does not outweigh the comfort of our permanent homes twelve months out of the year, nor does it outweigh the importance of the permanent homes and migratory path taken by the abundant wildlife, some of which are protected. In all honesty, I don't see a peak in revenue being enough to actually maintain the park as it should be maintained.

I strongly urge the TVA to deny this easement request. I think it is foolish to develop a park that is far less beneficial than Chester Frost Park, located in a highly convenient location just three miles down the road, with year round water. This is a 25-year commitment where the end doesn't justify the means. Should this development become less than what you are highly anticipating, the residents of Albermarle Drive, the wildlife residents of Dallas Branch Slough, and the taxpayers of your city will end up paying the ultimate price. It would take longer time than I have left to live in my lifetime to redevelop what Lakesite will destroy.

I stand by my request for the TVA to consider making this track of land a wildlife habitat.

Name: Cody Snyder

Received 04/24/2012 via online comment system

Comments: I am an outdoor enthusiast. I love to fish, kayak, and basically anything imaginable outdoors. When I first heard of the project TVA proposed I was thrilled to know that the land was going to be developed into a recreational area not because of recreational purposes, but because I drive by the area

every day and sometimes I think to myself, 'Why doesn't anyone make something of this?'. In my eyes it is 'deathly looking' with all the dead trees, and overgrown weeds/bushes and with this project, it would make the specific area a much more feasible place for scenery as well. Yes, it could be developed into a residential area, but there are enough vacant homes in Soddy Daisy. On another note, Soddy just needs other 'attractions'.

Chattanooga, especially Soddy Daisy, in my point of view is known for Chickamauga Lake and with an ease of access to the water in such a prime location it would be a well know place to go right off hand. Not only would I think this but also many others would agree including: tourists, out of state fisherman, boaters, even just an average person who wants to relax. Plus, I have never in my life have heard one person say, 'I do not like the lake' or 'Who likes to enjoy time on/at the water' etc. Even though most would think of recreation as a 'to do' activity. It could be something for someone to relax, enjoy the sunset, who knows what people would make of such a wonderful place by the water, maybe just enjoy people having fun.

I can't express how excited I am about this proposed action. I really hope TVA and Lakesite can pull through and develop the land into a recreational area, just for another activity for the people of Soddy Daisy/Chattanooga to have fun with.

8.2 Responses to Comments

8.2.1 Responses to Agency Comments

The following letter was received from the USFWS. Comments requiring responses are indicated by the numbered boxes in the left margin.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
446 Neal Street
Cookeville, TN 38501

May 15, 2012

Mr. John T. Baxter, Jr.
Manager, Endangered Species Act Compliance
Environmental Permits and Compliance
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902

Subject: FWS #12-CPA-0440. Draft Environmental Assessment – Lakesite Recreation Easement, Hamilton County, Tennessee

Dear Mr. Baxter:

The U.S. Fish and Wildlife Service (Service) has reviewed information regarding the potential TVA issue of a recreation easement and its subsequent potential impact on a 49-acre tract in Hamilton County, Tennessee. This letter is provided in accordance with section 7 of the Endangered Species Act of 1973, as amended (Act) (87 Stat. 884; 16 U.S.C. 1531 et seq.), the Migratory Bird Treaty Act of 1918, as amended (40 Stat. 755; 16 U.S.C. 703 et seq.) (MBTA), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321-4370) (NEPA).

WETLANDS AND CAVES

Based on data available to the Service, the only wetland within the proposed site is the emergent scrub-shrub shoreline wetland identified in the draft environmental assessment (EA), and this could provide suitable foraging habitat for the federally endangered gray bat (*Myotis grisescens*). Additionally, there are approximately 20 caves within a ten mile radius of this tract that could be suitable summer roosts for gray bat. Because this tract may contain suitable foraging habitat for gray bat, the Service recommends that all activities that result in removal of vegetation or deforestation incorporate a 100-foot buffer from the two streams and the reservoir adjacent to the tract. This practice will ensure the protection of stream and water quality so that the aquatic insect community remains healthy. The Service also recommends the use of pesticides be avoided or minimized.

1

2

THREATENED AND ENDANGERED SPECIES

Of particular concern is the identification of an estimated 70 dead pine trees within the proposed easement scheduled to be removed as a part of the proposed development. These may provide suitable summer roosting habitat for the federally endangered Indiana bat (*Myotis sodalis*). Habitat that is suitable for use by the Indiana bat during summer includes trees, snags, and similar structures. Structure that is five inches and larger is considered adequate size. The structure must have exfoliating bark, crevices, or other characteristics that would be considered by a person with sufficient experience (as recognized by the Service) to provide adequate shelter for one or more bats. The Service recommends a habitat suitability survey for Indiana bat be conducted, in accordance with these criteria, and the results reported to our office. Should the survey find that suitable summer roosting habitat for the Indiana bat exists within the project area, the EA should be updated to include the potential impact of timber removal to this species. We are not aware of any other federally listed or proposed species that may be impacted by the proposed action. However, our data are not based on comprehensive biological surveys and are not conclusive evidence of the presence or absence of listed species within the project area.

3

MIGRATORY BIRD TREATY ACT

The Service is the principal Federal agency with oversight for all 1,026 avian species identified and protected under the MBTA (50 CFR 10.13). Birds to be considered when assessing the potential effects of land clearing on this easement include all protected MBTA species found within the area. These included individuals that are resident, breeding, overwintering, migrating, staging, roosting, feeding, resting, and that otherwise transit through potential project areas on a daily, seasonal, annual, or other periodic basis. Migratory bird species may also be additionally designated as conservation priorities due to declining or otherwise vulnerable populations. These priorities are articulated in several lists that are generated by conservation entities including state wildlife agencies, Federal natural resource agencies, and international bird conservation initiatives such as Partners in Flight.

The Service has generated a set of lists of Birds of Conservation Concern (BCC) that justify and present migratory birds of high conservation priorities at a variety of spatial scales (e.g., national, regional, and ecoregional). There is a BCC list specifically for Bird Conservation Region BCR 28, Appalachian Mountains, which includes 25 species.

Our records indicate the presence of watch-listed and bird species of conservation concern on or near the proposed easement. Specifically these species include rusty blackbird (*Euphagus carolinus*), Louisiana waterthrush (*Parkesia motacilla*), wood thrush (*Hylocichla mustelina*), red-headed woodpecker (*Melanerpes erythrocephalus*), yellow-billed cuckoo (*Coccyzus minor*), prothonotary warbler (*Protonotaria citrea*), worm-eating warbler (*Mniotilta varia*), and Kentucky warbler (*Oporomis formosus*). In addition to these species of conservation concern, our records also indicate the presence of active osprey nests (*Pandion haliaetus*) near the proposed easement. Osprey have very similar habitat requirements to bald eagles (*Haliaeetus leucocephalus*), and since the draft EA identified such habitat is present on the easement; it is

possible this species may also be present. Though no other bird species of concern were identified in this area, our data are not based on comprehensive biological surveys, and are not conclusive documentation of the presence or absence of such species.

- 4 Because of the potential risk to MBTA trust species, we recommend the EA be updated to include information on how take of these species will be avoided in the course of development on this easement.
- 5 We further recommend a continuing dialog with the Service, Tennessee Wildlife Resources Agency, Tennessee Department of Environment & Conservation, and the U.S. Army Corps of Engineers. A point of contact for each agency can be provided upon request.

Thank you for the opportunity to review this proposed project. We look forward to more detailed discussion of the impact of these proposed activities on endangered and migratory trust species and reviewing an updated draft of the environmental assessment. Please contact Kenneth McDonald of my staff at kenneth_mcdonald@fws.gov or (931) 525-4990 if you have questions about these comments.

Sincerely,



Mary E. Jennings
Field Supervisor

Response to Comment #1:

Existing vegetation cover along much of the existing shoreline of the proposed park site would be left in its current condition (see Figure 1-3 in the draft EA). However, some clearing of vegetation within 100 feet of the shoreline would be necessary to accommodate a portion of the access road, a parking area, and an activity area for the canoe/kayak launch and the fishing pier. Additionally, installation of approximately 200 feet of bank stabilization would require some clearing within 100 feet of the shoreline. Because the shoreline would remain predominantly in its current vegetated condition, no adverse effects to the suitability of the area as foraging habitat for Indiana bats are anticipated.

Response to Comment #2:

TVA and USACE are not aware of any plans by the City to apply pesticides within the proposed park. As stated in Section 2.3, as a condition of approval, the City of Lakesite is responsible for ensuring that use or application of any pesticides, including herbicides, on Tract XTZR 211-RE is implemented by qualified personnel and conducted in accordance with label directions.

Response to Comment #3:

TVA conducted a site inspection in June, 2012, to determine the presence of suitable summer roosting habitat for Indiana bats on Tract XTZR-211RE. Findings of that survey are summarized in Section 3.1.3 of the final EA. As requested, survey results were reported to the USFWS office in Cookeville, Tennessee.

Response to Comment #4:

Sections 3.1.2 and 4.1.2 of the final EA have been updated to reflect the presence of watch listed birds and birds of conservation concern. As stated in Section 4.1.2, implementation of mitigation measure number 3 (see Section 2.3) would effectively avoid any take of any onsite MBTA trust species.

Response to Comment #5:

Copies of the draft EA were supplied to USFWS, TWRA, and TDEC. USACE was a cooperator in the preparation of the draft EA. Copies of the final EA will also be sent to these agencies.

8.2.2 Responses to Public Comments

Some of the comments received from the public were considered beyond the scope of the environmental review. The issues raised in those comments are matters between citizens and their local governments. These issues are acknowledged here, but they are not matters or circumstances that fall under TVA or USACE jurisdiction or control. The issues beyond the scope of the environmental review include the following comments:

- *The City of Lakesite has not handled this proposal properly.*
- *The park would not benefit tax-paying residents.*
- *Non-tax paying outsiders would come to the park.*
- *The park would not benefit tax-paying residents.*
- *Tax money should not be spent for the park.*
- *The City of Lakesite does not properly maintain its existing park; it has vandalism and maintenance problems.*
- *The City of Lakesite should hold a referendum or a vote on the park.*
- *The City of Lakesite should petition TVA to make the tract a nature preserve.*
- *The City should request TVA to dredge the slough and use the material to elevate the road and other areas.*

Several common themes were apparent in the comments. Thus, comments were consolidated into these common themes. The common themes include the following categories: 1) need for the park, 2) site suitability, 3) potential for the park to become a nuisance to the adjacent residential community, 4) financial concerns, 5) vehicular traffic, 6) boat traffic, 7) wildlife and wetlands, 8) water quality, 9) visual character, and 10) support for the proposal. Additionally, several questions were asked (Category 11), and there were two general comments (Category 12). The respective comments under each category were paraphrased to capture the main point. The paraphrased comments, along with responses to those comments are presented by category below.

Category 1 - Need for the Park

- ***The proposed park is unnecessary.***
- ***Other recreational facilities, e.g., Chester Frost and Lakesite City Park, are nearby.***

Response:

TVA received a request from the City of Lakesite for a recreation easement over TVA Tract XTCT-211RE. That request is consistent with the allocated land uses for the

tract as described in the *Chickamauga Reservoir Land Management Plan*. As mentioned in Section 3.3 of the draft EA, Chester Frost Park, which is operated by Hamilton County, and Harrison Bay State Park are located within a 3-mile radius of the requested property. As stated in Section 3.3 of the draft EA, both of these public parks offer various recreational amenities. These two parks attract visitors from the local area as well as nearby counties and out-of-state visitors. The proposed Lakesite park would be a day-use facility that would provide a less intensive, informal recreational opportunity for the local community.

Category 2 - Site Suitability

- ***The proposed site is unsuitable for a park.***

Response:

The use of Tract XTCR-211RE as a public day-use park is consistent with the tract's designated use in the *Chickamauga Reservoir Land Management Plan*. At this time, TVA is not aware of circumstances or situations that would render the tract unsuitable for recreational uses or preclude the use of the tract for public recreation.

Category 3 - Potential for the Park to Become a Nuisance to the Adjacent Residential Community.

- ***There would be inadequate law enforcement/patrolling.***
- ***The park would attract undesirable people.***
- ***There would be rowdy/illegal behavior and noise.***
- ***The park would attract drug users.***
- ***The park would generate additional litter.***
- ***There would be vandalism and thefts.***
- ***Trespassing to access the park would occur across adjacent residential properties.***

Response:

There is always a chance that public property and facilities will be misused or abused by the public. As stated in Sections 1.1 and 4.4.2 of the draft EA, law enforcement and police patrol of the proposed park would be the responsibility of the Hamilton County Sheriff's Department under an agreement with the City of Lakesite. The park would be day-use only and would be locked at night. The Tennessee Wildlife Resources Agency is responsible for enforcing boating regulations on public waters. Nuisance behavior, including any illegal activities, at the proposed park or elsewhere in the City of Lakesite, should be reported promptly to the appropriate enforcement authority.

Concerns about trespass across neighboring private residential properties to access the proposed park were raised. Currently, the City has no plans to erect an exclusion fence around the perimeter of the property. However, installation of appropriate signage advising park users of the proper access could potentially prevent trespass. Nevertheless, the issue of trespass on private property is a matter between the affected landowner and the appropriate local law enforcement authority.

Category 4 - Financial Concerns

- ***The City cannot afford to construct or operate the park.***
- ***Security for the park would be costly.***
- ***Taxpayers would bear the cost of constructing and maintaining the park.***

- ***Taxes would increase due to construction and maintenance.***
- ***Taxes would be raised from borrowing more money.***
- ***Injury lawsuits would cause taxes to increase.***
- ***The park would adversely affect property values of adjacent residential properties.***

Response:

As part of the application process regarding the easement, the City of Lakesite was required to provide information that outlined the City's financial ability to construct and operate the proposed park. The City provided that information, which was subsequently reviewed by TVA financial staff. Based on the information provided, TVA determined that the City of Lakesite would be financially able to construct and maintain the proposed park. Thus, the City's request for a recreation easement on TVA Tract XTCR-211RE was processed.

The City of Lakesite would bear the financial responsibility for constructing, operating, and maintaining the proposed park. In communities such as Lakesite, the need to increase tax revenues or rates may be a result of many circumstances and variables, such as the need for infrastructure improvements, the provision of additional community services and schools, the need to reduce the community's public debt, or to offset the loss of previously-planned tax revenues or tax base. There is a possibility that the City of Lakesite could raise taxes for the long-term operation and maintenance of the proposed park. However, because of the complexity and speculative nature of the City's financial status over the duration of the proposed easement period, the matter of whether taxes would actually be increased cannot be ascertained with certainty at this time.

As used here, the term "property value" refers to the amount of money a willing seller could expect to receive for real estate should that property be placed on the market. The value of a residential property depends on a variety of factors. Obvious factors include the distance to shopping, schools, and other amenities; the quality of construction and age of the structure; the character of the neighborhood; landscaping; and the intrinsic appeal of the property to a prospective buyer. Additionally, the current status of the local housing market and the willingness of prospective buyers to purchase property can have major effects on residential property values. Generally, the availability of nearby public parks is an amenity that may contribute to the desirability of residential property in the marketplace.

Category 5 - Vehicular Traffic

- ***Traffic on Hixson Pike would increase due to additional vehicles.***
- ***Traffic would increase from people that live outside of the Lakesite community.***
- ***Traffic on Driftwood Lane would increase (if there is a park entrance there).***

Response:

As stated in Section 3.4.2 of the draft EA, the annual average daily traffic count on Hixson Pike adjacent to the site of the proposed park is 9,389. That section of Hixson Pike has a Level of service (LOS) of A (a condition of free flow in which there is little or no restriction on speed or maneuverability caused by the presence of other vehicles). However, the LOS decreases to C or D in adjacent sections northward due to a decrease in the number of traffic lanes. As stated in Section 4.4.2 of the draft EA, the proposed park would accommodate approximately 34 vehicles. Additional traffic on Hixson Pike from vehicles entering or leaving the park, even if they were to arrive or leave at the same time, would be negligible.

As a public facility, the proposed community park could possibly attract users from areas beyond the community of Lakesite. However, the number of such visitors is likely to be small. As stated above, the contribution of traffic to local roadways from vehicles entering or exiting the park, regardless of their origin, is expected to be minor.

Driftwood Lane is a city street that approaches Tract XTCD-211RE from the east (see Figure 1-2 in the final EA). Currently, there is no authorized vehicular access to Tract XTCD-211RE from Driftwood Lane. According to the conceptual Master Plan, the access road to the proposed park would connect to Hixson Pike. Vehicular access to the park from Driftwood Lane is not proposed. Thus, no park-related traffic on Driftwood Lane is anticipated.

Category 6 - Boat Traffic

- ***The park would attract additional power boat traffic in the slough (day and night).***
- ***There would be pressure in the future to allow wave runners and other power boats to use the area.***

Response:

The potential for an increase in boating activity in the Dallas Bay embayment was acknowledged in Section 4.6 of the draft EA. As stated in that section, a significant increase in motorized boat traffic due to the presence of the park is not anticipated because no docking or launching facilities for motorized watercraft would be provided at the proposed park. An increase in non-motorized boating activity (e.g., canoes and kayaks) in the vicinity of the proposed park is likely, especially during the summer months.

The use of motorized watercraft is not prohibited in the vicinity of the proposed park; however, the area is not particularly suitable for such craft due to the size of the waterway and the presence of shallow water. No launching facilities for motorized watercraft are planned at the proposed park. Although interest in expanding boat launching facilities could possibly arise, the site remains generally unsuitable for launching powered watercraft, especially boats with deeper drafts. A modification of boat launch facilities at the proposed park site would require additional review and approval by TVA and USACE.

Category 7 - Wildlife and Wetlands

- ***Onsite wildlife habitat would be harmed.***
- ***Wetland wildlife habitat would be degraded.***
- ***The access road would interfere with the wetland area.***

Response:

As described in Section 4.1.2 of the draft EA, development of the proposed park would involve the removal of about 70 dead pine trees, removal of privet (an invasive species) along Hixson Pike and the access road, and the removal of about 45 trees having diameters of 6 inches or more. This would change portions of the existing plant onsite plant community to a combination of small openings and forest with an open understory. Much of the site would remain forested. Because the local wildlife community consists primarily of common and abundant species and has adapted to the presence of nearby residential development, activity at the park is not expected to displace local wildlife.

To avoid potential adverse effects to wetlands, the City revised the original site plan (see Section 3.2.2 in the draft EA). The revisions including moving the canoe/kayak launch

outside of the wetland area, constructing trails on elevated walkways within jurisdictional wetland areas, establishing a 50-foot buffer around wetland areas, using only native plants for landscaping within the buffer zone, and moving the parking lot to avoid encroaching into the buffer zone. With these measures in place, potential effects to wetland resources are expected to be minor.

Category 8 - Water Quality

- ***Runoff from roads would adversely affect water quality in the lake.***
- ***The park would cause additional runoff and trash in the water.***
- ***The park would cause shoreline erosion.***

Response:

As stated in Section 2.3 of the draft EA, TVA would impose the following measure on the City of Lakesite as a condition of approval of the requested easement: “The City of Lakesite shall ensure that appropriate construction best management practices are implemented to prevent the introduction of runoff and sediment into surface waters.” The access road into the proposed park would coincide with the existing gravel road. Phase I plans call for graveling and upgrading the existing road and constructing gravel sidewalks and parking lots for approximately 30 vehicles. Four additional park places would be available for handicapped use. Phase II development plans involve paving the access road, pending the availability of funds and degree of use. Because of the topography and the fact that surface runoff from the roadway and other areas would likely infiltrate into adjacent vegetated areas before reaching the lake, adverse effects to water quality in Chickamauga Reservoir are not anticipated from runoff from the proposed park.

The introduction of trash into TVA reservoirs from tributaries is a persistent problem, and TVA appreciates efforts from adjacent property owners and other stakeholders to remove trash from the reservoirs. Appropriate trash receptacles would be installed at the proposed park and trash would be removed regularly as necessary by the City.

As stated on page 5 in Section 1.1 of the draft EA, the City proposes to stabilize approximately 200 feet of shoreline using rock-filled wire baskets known as “gabions” that are imbedded into the bank at the normal summer pool waterline. These gabions would be installed near the site of the proposed fishing pier, where the heaviest amount of bank use is anticipated and the existing shoreline is most exposed.

Category 9 - Visual Character

- ***Nearby residences would be visible from the commercial area on Hixson Pike.***

Response:

The City of Lakesite proposes to remove privet, an invasive species, along the westernmost portions of the proposed park adjoining Hixson Pike. This would tend to visually expose some portions of the tract to vehicular passengers and to the commercial area along Hixson Pike. Other portions of the tract would retain the existing tree cover. The cleared areas along the highway would likely revegetate within a few years, creating a visual barrier. Nevertheless, portions of Albermarle Drive, especially those within approximately 500 feet of Hixson Pike, could possibly be seen from Hixson Pike.

Category 10 - Support for the Proposal

- ***The proposed park would provide access to the water.***
- ***The park would provide the community opportunities for recreation not currently available.***
- ***The park could stimulate the local economy.***
- ***The park should be open at night.***

Response:

In the Lakesite community, access to Chickamauga Reservoir is generally limited to lakefront property owners. The proposed park would afford water access to the community at large. Waterfront access would be provided for non-motorized watercraft and for fishing from the bank or from the fishing dock. Picnic pavilions and nature trails would also be provided. According to the conceptual Master Plan, there are no plans for a designated swimming area.

There is a potential for the proposed park to stimulate the local economy directly through the sales of related goods (e.g., picnic supplies) or indirectly via improved community amenities. In either case, the economic effect would likely be very small.

The City of Lakesite has indicated that it intends to offer the proposed park for daytime use only. Suggestions or comments regarding the operating schedule for the proposed park should be directed to the City of Lakesite.

Category 11 - Questions

- ***Has the project been cancelled?***
- ***Would the Hamilton County Sheriff's Department patrol the park?***
- ***Would a fence be built?***
- ***Could a No Wake Zone be established?***

Response:

The request to TVA for a 30-year term easement over Tract XRCCR-211RE remains in effect. Requests for permits from the U.S. Army Corps of Engineers are also active. Because these requests remain active, we assume that the City of Lakesite intends to proceed with the proposed park.

As stated on page 2 in Section 1.1 of the draft EA, the City of Lakesite would supplement its existing law enforcement contract with the Hamilton County Sheriff's Department to patrol the proposed and lock the gate at dusk.

The conceptual Master Plan for the proposed park presented to TVA and USACE did not indicate a fence around the park. However, a gate would be installed at the Hixson Pike entrance to the park.

Establishment of No Wake Zones is the responsibility of Tennessee State Boating Law Administrator within the Tennessee Wildlife Resources Agency. No Wake Zones are normally established in certain areas such as around marinas to foster increased boating safety and to protect property.

Category 12 - General Comments

- ***ATVs are currently using the site.***
- ***There is a well onsite.***

Response:

As stated in Section 1.3 of the draft EA, Tract XTCR-211RE corresponds to Plan Tract 32 in the 1989 *Chickamauga Reservoir Land Management Plan*. The designated uses of Plan Tract 32 are Public Recreation and Forest Management. Because of this designation, and because the subject tract is public land, TVA allows informal uses, such as bank-fishing, camping, hiking, and other recreational activities on the tract. The use of non-motorized vehicles such as bicycles is generally permissible. Except for certain circumstances, use of motorized off-road vehicles such as ATVs on TVA-controlled shore lands is generally prohibited. When abusive behaviors or activities that degrade the land or natural resources are observed, TVA may install signage and gates to restrict access and seek cooperation from local law enforcement and adjacent property owners to monitor and report unauthorized use of off-road motorized vehicles on TVA-controlled public lands.

TVA appreciates the information regarding the presence of an onsite well. A site inspection was conducted on May 23, 2012 and revealed the presence of two wells and a historic foundation. These features are considered cultural resources, and TVA subsequently contacted the Tennessee State Historic Preservation Officer (SHPO) regarding this post-review discovery. The SHPO concurred with TVA's determination that the site is not eligible for inclusion on the National Register of Historic Places. Section 3.5.1 of the EA has been updated to reflect this information.

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Appendix A – TVA Public Notice

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Public Notice

August 30, 2010

Proposed Action

City of Lakesite Request for 30-year recreation easement

Location

Chickamauga Reservoir, Tennessee River Mile 480.5 in Hamilton County, Tennessee

Description

The City of Lakesite has requested that TVA grant a 30-year easement for the development, operation, and maintenance of an approximate 49 acre park located in Dallas Branch at Tennessee River Mile 480.5 on Chickamauga Reservoir in Hamilton County, Tennessee.

The Lakesite City Commission will hold a public information meeting at 7:45 pm on Tuesday, September 21, 2010 at the Lakesite City Hall located at 9201 Rocky Point Road, Lakesite, TN 37379 to explain and answer questions regarding the application submitted to TVA.

TVA is interested in receiving comments on the potential affects the proposed action might have on the environment or historic properties, and requests comments to identify other issues associated with the proposal. The comments will be used in reaching a decision concerning the proposed action.

Any comments received, including names and addresses, will become part of the administrative record and will be available for public inspection. All written comments on this proposed action must be received on or before September 29, 2010 and should be directed to:

RaSharon M. King

Tennessee Valley Authority
Chickamauga-Hiwassee Watershed Team
110 Market Street, PSC-1E
Chattanooga, TN 37402-2801

Phone: 423-876-6703

Fax: 423-876-4016

E-mail: rmking@tva.gov

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Appendix B – USACE Joint Public Notice

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**US Army Corps
of Engineers**

Public Notice

Public Notice No. **10-44**

Date: **December 10, 2010**

Nashville District

Application No. **2010-00908**

Expires: **January 10, 2010**

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
and
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Public Fishing Dock, Bank Stabilization, and Canoe Launching Ramp at Dallas Branch Embayment, Tennessee River Mile 480.5L, Chickamauga Lake, Hamilton County, Tennessee

TO ALL CONCERNED: The application described below has submitted for a Department of the Army (DA) Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899** for the construction of docks on waters of the United States, and a **Section 404 of the Clean Water Act** for discharge of fill material for riprap and boat ramp; and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act**.

APPLICANT: City of Lakesite
9201 Rocky Point Road
Lakesite, Tennessee 37379

LOCATION: Dallas Branch Embayment, Tennessee River Mile 480.5, Left Bank, Chickamauga Lake, Hamilton County, Tennessee (Daisy Quad; lat 35.20417, lon -85.15)

DESCRIPTION: The City of Lakesite is requesting the use of TVA Tract No. XCT-32PT to build, utilize, and sustain a public park. The City of Lakesite has no public access to the waterway and is proposing a public park to provide increased recreational opportunities. The master plan proposes a plan to minimally disturb the natural state of the land to provide the facilities. The proposed impacts to the waters of the United States involve construction of a fishing dock, canoe launching ramp, bank stabilization, and wetland impacts. The fishing dock would be a fixed dock 70' wide by 65' long. The dock would be located in an area where no dredging of the lake would be required. Bank stabilization would be provided along 200' of shoreline and would be constructed rock gabions. A canoe/kayak launching ramp would be provided and constructed of armorflex mats. The ramp would be approximately 10' wide. No vehicles would utilize the ramp for large boats. There are wetlands located on the property and within the shallow water

Lakesite Recreation Easement

Public Notice 10-44
File No. 2010-00908

areas of the embayment. However, the applicant has designed the plans to avoid the wetland and shoreline impacts to the maximum extent possible. A 50' undisturbed buffer would be left between any work/disturbed land and any delineated wetland areas. Only one area would not accommodate the 50' buffer, which would be due to the natural topography of the land and existing roadbed. Also, a pedestrian boardwalk/bridge would be constructed over one wetland area for a proposed walking trail. The upland facilities would consist of entry gate, entrance road, a pavilion and restrooms, parking, playground, primitive trails, and disc golf areas.

The applicant indicated that the overall strategy is to provide a passive, public park area with minimal disturbance to the natural state of the land and its neighbors. The majority of the acreage is within the City of Lakesite's boundary, near the business district, and accessible to the surrounding communities. The City's vision is to provide an attractive public recreation area which will enhance the physical well-being of its users, promote economic and community development in the neighboring business area, and create environmental education potential for students from neighboring schools such as McConnell Elementary and Loftis Middle.

The proposed riprap and boat ramp associated with the project has previously been approved for purposes of Section 404 of the Clean Water Act under authority of a DA Nationwide Permits #13 and #36, which became effective on March 19, 2007 [33 CFR 330, Appendix A].

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the

Public Notice 10-44
File No. 2010-00908

preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The work has been categorically excluded from environmental documentation by 33 CFR Part 325, Appendix B, Paragraph 6, which became effective on March 4, 1988. An Environmental Assessment may be prepared if extraordinary circumstances are revealed during the public interest review.

The applicant and TVA have previously coordinated with the Tennessee Historical Commission (THC) for the proposed activities. The THC responded by letter dated November 4, 2010, that they reviewed a cultural resources survey report in accordance with regulations codified at 36 CFR 800. Based on the information provided, THC concurred that the project area contains no historic properties eligible for listing in the National Register of Historic Places. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

Tennessee Valley Authority (TVA) approval is required under Section 26a of the TVA Act for the proposed work. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

The State of Tennessee, Department of Environment and Conservation (TDEC), denied without prejudice 401 certification for the Nationwide Permits for the riprap and boat ramp. However, the ramp and bank stabilization would meet the conditions for a General Permit.

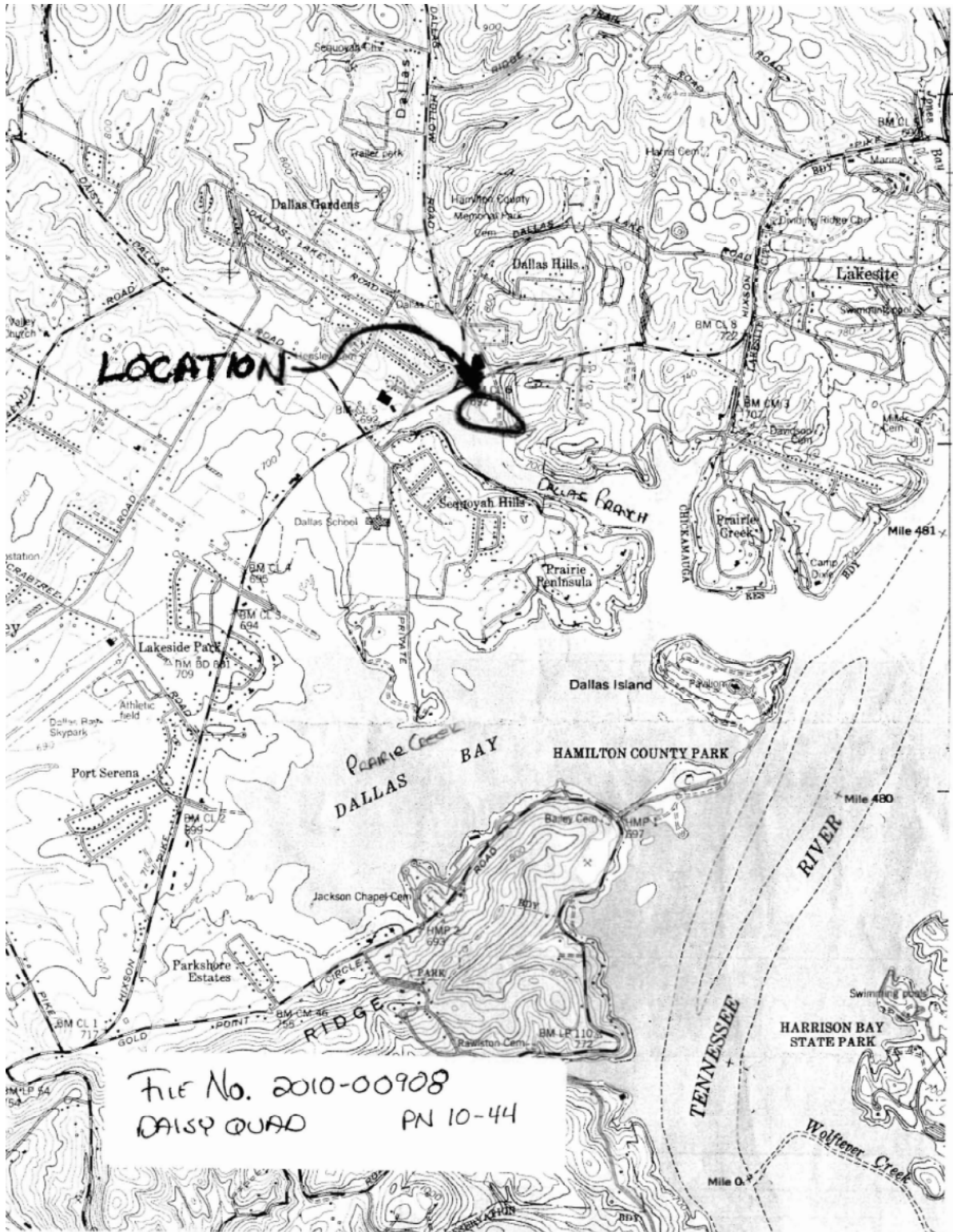
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

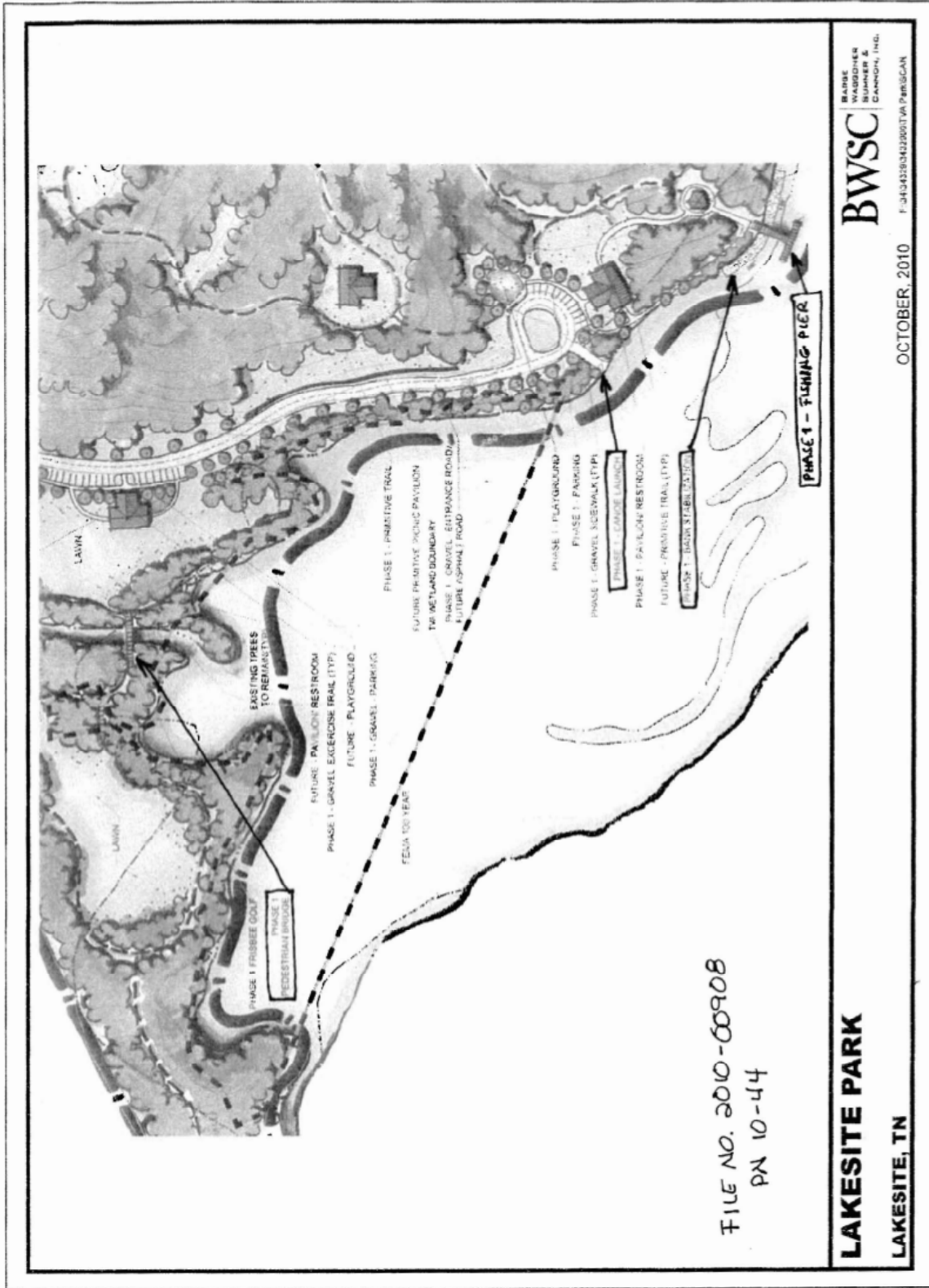
Lakesite Recreation Easement

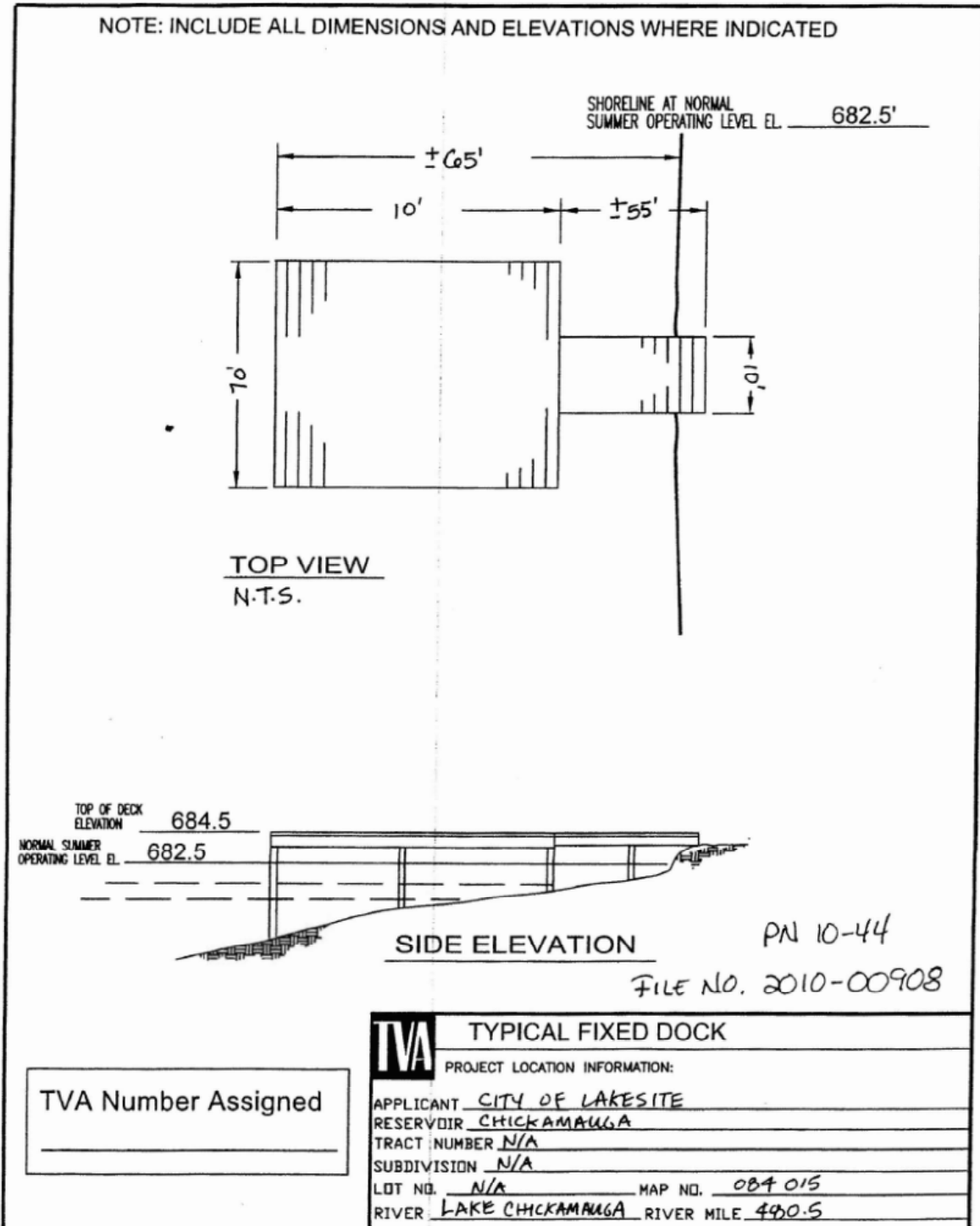
Public Notice 10-44
File No. 2010-00908

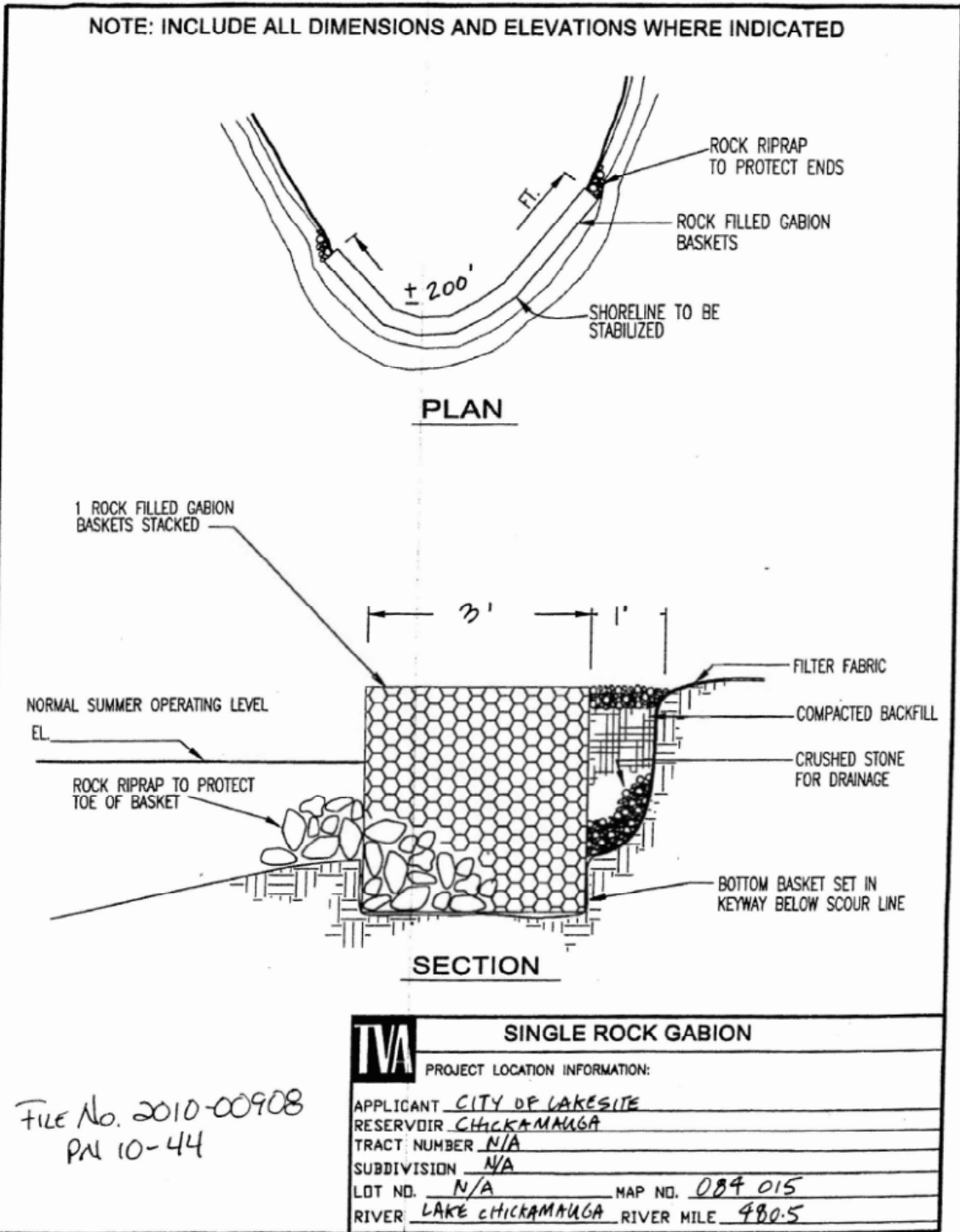
Written statements received in this office on or before **January 10, 2011** will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Amy Robinson, at the above address, telephone (615) 369-7509. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Ms. RaSharon King, Tennessee Valley Authority, Chickamauga Lake, 110 Market Street, Chattanooga, Tennessee 37402, or email: rmking@tva.gov.

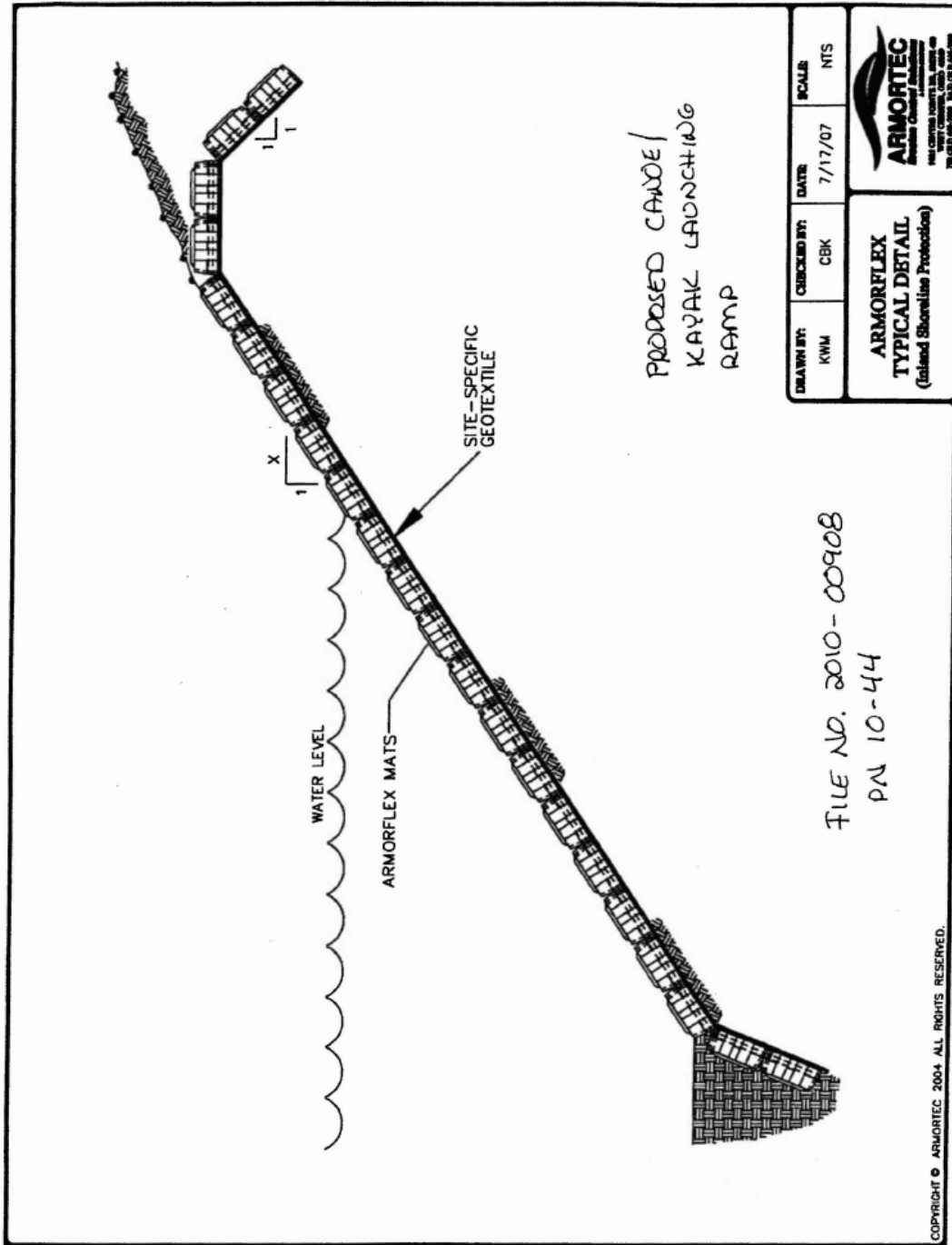
If you received this notice by mail and wish to view all of the diagrams, visit our web site at: <http://www.lrn.usace.army.mil/cof/notices.htm>, or contact Amy Robinson at the above address or phone number.











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Appendix C – Correspondence

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United States Department of the Interior

FISH AND WILDLIFE SERVICE
446 Neal Street
Cookeville, TN 38501

January 10, 2011

Lt. Colonel Anthony P. Mitchell
District Engineer
U.S. Army Corps of Engineers
3701 Bell Road
Nashville, Tennessee 37214

Attention: Ms. Amy Robinson, Regulatory Branch

Subject: Public Notice No. 10-44. City of Lakesite, Proposed Public Park, Hamilton County, Tennessee.

Dear Colonel Mitchell:

Fish and Wildlife Service (Service) personnel have reviewed the subject public notice. The applicant (City of Lakesite) proposes to construct a public park at the Dallas Branch Embayment at Tennessee River Mile 480.5, Left Bank, Chickamauga Lake, Hamilton County, Tennessee. The applicant proposes to construct a 70-foot by 65-foot fishing dock, a canoe/kayak launching ramp, pedestrian boardwalk, pavilion and restrooms, parking, playground, trails, and a disc golf area. The applicant also proposes to place riprap along 200 linear feet of shoreline for bank stabilization. The following constitute the comments of the U.S. Department of the Interior, provided in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

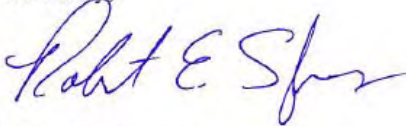
Endangered species collection records available to the Service do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. We note, however, that collection records available to the Service may not be all-inclusive. Our data base is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

habitat designated that might be affected by the action.

Best management practices should be utilized during the construction of the project to minimize runoff of sediment into water of the United States. All sediment structures should be inspected and cleaned regularly to ensure the maximum level of sediment control. If structures fail or are found to be inadequate, work should cease and not resume until appropriate corrective measures have been taken. Provided best management practices are utilized, we would have no objection to the issuance of a permit for the work described in the subject public notice.

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

Sincerely,



Mary E. Jennings

Mary E. Jennings
Field Supervisor



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

January 13, 2011

Ms. Amy Robinson
United States Army Corps of Engineers
Nashville District
Regulatory Branch
3701 Bell Road
Nashville, Tennessee 37214

RE: COE-N, PN# 10-44/FISHING DOCK/TRM 480.5L, UNINCORPORATED,
HAMILTON COUNTY

Dear Ms. Robinson:

The Tennessee State Historic Preservation Office has reviewed the above-referenced undertaking received on Wednesday, December 22, 2010 for compliance by the participating federal agency or applicant for federal assistance with Section 106 of the National Historic Preservation Act. The Procedures for implementing Section 106 of the Act are codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739).

After considering the documentation submitted, we concur that there are no National Register of Historic Places listed or eligible properties affected by this undertaking. This determination is made either because of the location, scope and/or nature of the undertaking, and/or because of the size of the area of potential effect; or because no listed or eligible properties exist in the area of potential effect; or because the undertaking will not alter any characteristics of an identified eligible or listed property that qualify the property for listing in the National Register or alter such property's location, setting or use. Therefore, this office has no objections to your proceeding with the project.

If your agency proposes any modifications in current project plans or discovers any archaeological remains during the ground disturbance or construction phase, 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. You may direct questions or comments to Jennifer M. Barnett (615) 741-1588, ext. 105. This office appreciates your cooperation.

Sincerely,

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

EPM/jmb



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

November 4, 2010

Mr. A. Eric Howard
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1499

RE: TVA, CULTURAL RESOURCES ASSESSMENT, PUBLIC PARK AT
CHICKAMAUGA RES., LAKESITE, HAMILTON COUNTY, TN

Dear Mr. Howard:

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

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,

A handwritten signature in black ink that reads "E. Patrick McIntyre, Jr.".

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

EPM/jmb



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

August 17, 2012

Mr. Clinton Jones
Tennessee Valley Authority
400 West Summit Hill Drive
WT11D
Knoxville, Tennessee 37902-1499

RE: TVA, CULTURAL RESOURCES ASSESSMENT, RECREATION EASEMENT/40HA561,
LAKESITE, HAMILTON COUNTY, TN

Dear Mr. Jones:

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

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,

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

EPM/jmb