

Written Testimony of Mr. Michael T. Wilks
President, Tennessee Valley Floating Homes Alliance (TVFHA)
September 23, 2016
before the House Oversight and Government Reform
Subcommittee on Government Operations

It is an honor and a privilege to sit before you this morning representing the Tennessee Floating Homes Alliance (TVFHA). We are a group of Floating Home Owners, Marina Operators, Renters, and people who enjoy the recreational resources of the TVA Reservoirs.

We are here today as a result of the TVA's admitted "blundering" of its past regulatory enforcement, gross exaggerations, and misrepresentations to the public regarding floating homes, and its knee jerk reaction to any perceived problems. Subsequent to their ban on Non Navigable or Floating Homes in 1978 (Appendix 1), the TVA has allowed Floating Homes to promulgate on their reservoirs with both explicit and implied permission (Appendix 2).

On May 5, 2016, TVA officials recommended so-called Alternative B2 to the TVA Board of Directors (Board) for adoption from among several options outlined in the Environmental Impact Statement (EIS) TVA had commissioned for the purpose of "dealing" with the Floating Home issue. Under Alternative B2 TVA would approve Existing Floating Houses that met new minimum standards, and would allow mooring within permitted marina harbor limits. But through regulation TVA would also establish a future "sunset" date by which time all Existing Floating Homes must be forcibly removed from TVA Reservoirs, and would immediately prohibit any new Floating Homes from the reservoirs. TVA would continue to allow existing Non Navigables that are compliant with their permit conditions but would require that they also be removed from TVA reservoirs by the sunset date. Based on its officials' recommendation, the TVA Board adopted Alternative B2, but in doing so, extended the sunset period found in Alternative B2 from twenty (20) to thirty (30) years.

Based on inaccuracies and exaggerations, the TVA painted a picture to the public that Floating Home owners represented a "basket of deplorables": squatters, polluters, and those taking the waters as their own, all to justify the removal of the Floating Homes. TVA officials failed to inform the public, and to some extent the Board, that ninety-eight percent (98%) of all Floating Homes are moored within the confines of marina harbors in waters leased by TVA (statement by Rebecca Tolene in April 2016 RRSC Meeting) for that and other purposes. Thus, Floating Homes are clearly not "squatters." But neither do Floating Homes represent an unacceptable "taking" of public waters for private use. TVA actually leases these waters in which the vast majority of Floating Homes are moored to Marina Owners. Marina Owners pay TVA a fee to lease the waters, and Floating Home Owners in turn pay Marina Owners to sublease mooring space in these waters. Finally, in order to be moored in marina harbor waters,

Floating Home Owners must contract with either the Marina itself or a qualified waste water disposal company for the proper disposal of all waste water. Thus, Floating Homes are also not the polluters TVA has depicted.

Once informed that TVA officials were going to recommend Alternative B2 to the Board, Home Owners, Marina Owners, and State and Local Officials became alarmed. Why, now after almost 40 years of inactivity did the TVA want to take such a draconian approach to the issue? Why harm people who believed they were in compliance? Why harm local economies that rely on tourism dollars? Why not regulate and allow Marina Owners, who TVA has entrusted to be stewards of the harbors, to monitor these structures? Why hadn't the TVA done its job? This was a call to action.

TVFHA represents many stakeholders in this issue, not only from Tennessee and North Carolina, but also from states such as Georgia, Ohio, Indiana, Illinois, Florida, Maryland, Arizona, Kentucky and Virginia. Floating Home Owners travel to reservoirs for weekends, or a week or two of vacation. Some retirees may stay on Floating Homes for months at a time, but not year round. Not many people peruse the Federal Register looking for TVA Notices. So when the TVA published meeting notices in local print media, many were unaware of the public meetings, or not available to attend, or unaware they could make comments in writing to the TVA. Many local people believed that the TVA would "do nothing as usual." "The TVA makes rules they never follow or enforce" was the sentiment of many. But such was not to be the case this time. The TVA was mandating this forced removal, albeit in thirty (30) years, and this time TVA apparently meant it. In the April 2016 meeting of the TVA Regional Resource Stewardship Council (RRSC) in Chattanooga, TN, Ms. Rebecca Tolene, TVA Vice President of Natural Resources and Real Property Services, stated that she was "hell bent" on removing the floating houses.

Many people perused the EIS but some like Mary Ann Smith Lefker, a floating home owner and village mayor from Ohio, dissected this document and questioned its validity. How could the TVA publish an EIS, without really checking their facts: discussing poor water quality without a study of water quality in marinas and on the lake as a whole; discussing electrical safety, without examining the root cause of Electrical Shock Drownings and incidents on the reservoirs; showing structures which appear to be outside of harbor limits, without explaining what those harbor limits are and the eminent impact to the local economy. MaryAnn is accustomed to working with various state and federal agencies. As she puts it, "facts are facts," and this does not add up to the conclusion that Alternative B2 is a logical choice.

During the Scoping process involved with the EIS there were many comments relating to the inconsistencies of the TVA (Appendices 3 and 6). Marina Operators like Debbie Samples, stated at the June 24, 2014 public meeting in LaFollette, TN that she spoke with TVA official George Humphries (now retired), around 1997 and was told that it was OK to build floating homes in her marina, and that the TVA was going to allow Marinas to do what they wanted within their harbors. There are stories like MaryAnn and her husband, who built a Floating Home after talking with a TVA official who led them to believe that the TVA was not regulating these structures any more. Donna and Rick Driskoll, also from Ohio, reiterated hearing those same sentiments from TVA. Mike and Lynne Miller from Knoxville, Tennessee and Terri and Joe Stemple from Lexington, KY, are floating home owners that were told by a Marina owner and developer that the floating home they had was perfectly legal, and was approved by

the Tennessee Wildlife Resources Agency (TWRA), and that the TVA had approved the development at Mountain Lake on Norris Reservoir. Such was the understanding that TVA created by its nearly four decade non-enforcement of any regulations concerning Floating Homes. Now these owners and others are to be levied fees, and at the end of thirty (30) years, they would be required to pay for the removal of their Floating Home from the lake.

The impact of the sunset to local economies will be devastating. Marina owners with Floating Homes moored in their harbors would lose forty percent (40%) or more of their revenues which will be difficult to recover, forcing many to close or sell. Revenues to counties in Tennessee would suffer significantly from the sunset. An example is Campbell County, with 11 Marinas which collectively generate an estimated \$33 million of the total \$54.24 million in tourism dollars spent in the county (Appendix 4). An estimate based on our personal base expenses of Buoy Fees, Dock Fees (we need a boat to get to our house), Water, Electric and Insurance of \$8,011.00 (Appendix 5) which over a conservative estimated number of 400 units brings \$3.204 MM to the Campbell County economy alone. This is exclusive of the purchase of fuel, groceries, dining, furniture, maintenance, building supplies, and appliances. Tourism is the only growth industry in the region since 2008, job growth that employs some year around would be lost. Per the Campbell County Mayor, E.L Morton, "This is a slap in the face to the citizens of the county which has lost jobs in the mining industry as a result of TVA not buying coal mined in the region".

There are many options across this great land to visit and in which to recreate. Like many FIFO's (Friendly Idiots from Ohio), as the locals on the lake may call us, our family became addicted to Norris Lake. First coming here for a weekend, then a week, and then having a camper in the private campground at Shanghai Resort. Finally, my mother-in-law decided that a floating home would be great for her family and grandchildren and she wouldn't have to deal with the mud along the shore. So we bought this house, never thinking that anything was wrong. It was in a Marina, approved by the Marina Owner, had all of the sanitation required by the TVA. We made a choice to locate on Norris Lake in Tennessee because of the cleanliness of the water, the beauty of the mountains, the heritage and the friendliness of its people, bringing truth to the term "Southern Hospitality." We bring friends from Michigan, who cannot believe how deep and pure the water is. Those friends have returned and brought their friends, staying on our floating house, renting rooms at the marina motel, and renting a floating home. This is not the only story of its kind, as evidenced by the public comment sessions at two TVA Board meetings, letters to state and federal legislators, and over 600 comments in a petition presented to the TVA.

The rest of the story is the lost value of our Floating Homes caused by the sunset. While some on the TVA Board believe that the additional ten (10) years the Board granted to the Floating Home Owners at their May 5 Board meeting, for a total sunset period of thirty (30) years, would sufficiently "mitigate" the lost value suffered by owners, the real impact is not in thirty (30) years, but rather, it's today. In many discussions, TVA Staff has belabored the point that floating homes, not unlike boats, depreciate in value over time. A boat's useful life would typically be much less than the 30 years. Floating Houses and Production Houseboats are not like a runabout or ski boat. If they are well maintained or improved, they are likely to maintain or increase their value. But with the announcement of a "sunset", sales decreased at a dramatic rate. Those that have sold have done so at values often below cost. One

couple, Janet and Gary Benzinger of Ohio, lost thousands of dollars of their retirement fund in the sale of their Floating Home. Ray and Hazel Beal, a retired couple in their 80's, cannot sell their floating home due to the uncertainties created by the TVA announcement. There was also an assumption on the part of TVA staff that these structures were built and handed down for generations into perpetuity. This was an assumption without much research. Our findings show that these structures are bought and sold on average every 5 to 8 years, as financial demands or family situations change.

Marina Owners have commented in meetings with TVA that they have complied with regulations regarding sewage, or black water. Contrary to the belief and propaganda, Floating Homes, Houseboats, and Cruisers are equipped with Marine Sanitation Devices, most of which have holding tanks that are required to be pumped out. Floating Homes are not even equipped with a "Y" valve which would allow for voluntary discharge into the water. Marinas or private contractors that pump out these vessels are required by the TVA to keep records including gallons pumped and where the waste is disposed of. These records are rarely if ever inspected by the TVA. This is another example of the ineffectiveness of the TVA.

After approximately forty (40) years of what was essentially regulatory neglect, interspersed with periodic and often conflicting regulatory guidance from various TVA officials, the TVA apparently made the internal decision, at least at the staff level, that it would be easier to force all the Floating Homes off the lakes than to create fair regulatory policies and maintain effective compliance programs to enforce them. And if the Floating Home owners, Marina Owners, and Local Governments lost tens of millions of dollars in uncompensated home value and tax revenue in the process, it was of no concern to the TVA.

Apparently in an effort to build the case for this decision, the TVA commissioned an EIS that was heavy on conclusions to justify the removal of our Floating Homes, but light on the research to back up those conclusions. For example, the EIS concluded that Floating Homes hurt the water quality of TVA lakes, but did not include any real research to back up the conclusions, and in fact, left out water quality research that showed excellent water quality on Fontana Lake. Additionally, out of over 1800 Floating Homes, the TVA found a very small percentage that were in a run-down condition, were floating outside the confines of marina harbors, or were relatively excessive, and to further the narratives that our Floating Homes were eyesores, interfered with navigation, and were owned by a financially privileged few, pictures of these examples were included in the EIS with the implication that they were representative of the norm, thus the Floating Homes needed to be removed.

Outsiders - those not from the Tennessee Valley - are unaware of the contradictions that TVA has created. Is TVA a government agency created by the TVA act of 1933 or a private corporation responsible for driving profits from the sale of electricity? Most of the Citizens of the United States, for whom these reservoirs were built, are unaware that TVA's Board is appointed by the President of the United States and confirmed by the Senate, or of the over \$10 Million in Executive Salaries TVA pays each year.

TVA's Board never imagined that this Floating Home issue would bring so many comments, letters, email, and phone calls in favor of Floating Homes in the days before the May 5, 2016 Board meeting in

Paris Landing, Tennessee. The Board realized that it had a real decision to make which required more thought than is usually needed to simply rubber stamp a recommendation by staff. The Board did not realize that over fifty (50) Floating Home owners, Marina owners and others would travel some eight (8) hours, to state the position that the vast majority of Floating Homes are not as they are described in the EIS. The Board listened attentively to the over 3 hours of comments, taking copious notes.

We give much credit to Chairman Joe Ritch and especially Directors Michael McWherter and Marilyn Brown for their attention. Directors McWherter and Brown held a position of holding off on a decision, and directing staff to further investigate the matter. Such would have allowed time to develop a sustainable, compromise solution to TVA's self-acknowledged "Blundering" of this issue in the past. While a slight majority of the Board, in a 5-4 vote, disagreed with this approach, Director McWherter's position, had it been adopted, would have been a common sense approach to the issue. However, the Board did recommend to the staff to work with various stakeholders, like the TVFHA, to develop regulations and a fee structure for Floating Homes, but stated its firm position that all Floating Homes must be removed in thirty (30) years.

Like Directors McWherter and Brown, we have found that this is a very complex issue with many moving parts. Not only were there inconsistencies with who has jurisdiction and to what degree, and the enforcement of existing regulations, but there have literally been new economies created and driven by the existence of these floating houses, which have a financial impact to the region. Families and individuals would be financially harmed in addition to the marinas and local counties. The challenge is to develop plans that are sustainable into the future.

We can all agree there needs to be a registration or inventory of existing structures, including the mooring systems, waterlines and electric cables in the various marinas. This needs to be done in conjunction with the Marinas and organizations such as the TVFHA. Concise and sensible safety requirements must be developed. There needs to be a plan for the future recreational use of structures like these.

Where we have a difficulty in reaching a meeting of the minds with TVA is with its notion that Floating Homes represent an unacceptable private taking of the public waters that others, such as fishermen and boaters, could be using. You see marinas on Norris Reservoir represent 1.9% of the total surface area of the reservoir and Fontana encompasses 9.74%, due to the topography and annual draw down of the dam. The same rationale would hold true for the estimated 30,000 docks that line the shorelines of all TVA reservoirs. The TVA is quick to point out that all of those structures are required to have a Section 26a permit, so their approval has been granted.

We admit there have been sins on both sides of this issue, but the past is the past, what we as reasonable people must determine is where do we go from here, without doing more harm than good. At the suggestion of the Board, we and other groups have met with the TVA staff to work on proposed regulations, and develop a plan moving forward. The TVA recognizes the TVFHA as a voice and mechanism to communicate new requirements and work towards better stewardship. We have asked the TVA to include a representative from our organization on the RRSC, so there can be a fair and

balanced discussion and recommendation to the TVA Board on stewardship matters. We have also committed to an Ambassador program with Marinas and home owners, to help communicate standards, and assist in the registration and compliance measures.

The TVA has an opportunity to turn its negative perception into a positive means for persons of the United States to utilize the resources in a positive and sustainable manner, without removing those structures within compliance. Like other Floating Home Associations in California and Washington, where the Floating Home owners and their government regulators have learned how to peacefully co-exist, there is an opportunity to work together here, in a non-partisan manner, if TVA will just avail itself of it.

In closing, those who own, rent or visit floating homes are a group of folks who come to the reservoirs to rest, relax, and forget about the pressures of everyday life or illnesses they may have. They are not just those with wealth, but blue collar working men and women, Coalmine and Manufacturing retirees, Black, White, Hispanic, Straight, Gay, Transgender, Young and Old. As my lake neighbor and philosopher so eloquently put it, "When we are all floating in the water, half naked, with a beverage, we are all equal".

Appendix 1 Post 1978 TVA Information

TENNESSEE VALLEY AUTHORITY

REGULATION OF HOUSEBOATS, BOATHOUSES, SIMILAR FLOATING STRUCTURES,
AND HARBOR LIMITS CONTAINED IN TITLE 18,
CODE OF FEDERAL REGULATIONS

EFFECTIVE FEBRUARY 15, 1978

1304.3 Flotation devices and material. (a) Because of the possible release of toxic or polluting substances, and the hazard to navigation from metal drums that become partially filled with water and escape from docks, boathouses, houseboats, floats, and other water-use structures and facilities for which they are used for flotation, TVA has prohibited use of metal drums in any form, except as authorized in subsection (b) of this section, for flotation of any facilities requiring approval under these regulations before being constructed or placed on any TVA reservoir.

(b) The only metal drums permitted are those which have been filled with plastic foam or other solid flotation materials and welded, strapped, or otherwise firmly secured in place prior to July 1, 1972, on existing facilities, but replacement of any metal drum flotation permitted to be used by this subsection must be with some type of permanent flotation device or material, for example, pontoons, boat hulls, or other buoyancy devices made of steel, aluminum, fiberglass, or plastic foam, not including filled metal drums.

(c) Every flotation device employed in the Tennessee River system must be firmly and securely affixed to the structure it supports with materials capable of withstanding prolonged exposure to wave wash and weather conditions.

1304.4 Treatment of sewage. No person operating a commercial boat dock on or over real property of the United States in the custody and control of TVA, or on or over real property subject to provisions for the control of water pollution in a deed, grant of easement, lease, license, permit, or other instrument from or to the United States or TVA shall permit the mooring on or over such real property of any watercraft or floating structure equipped with a marine toilet unless such toilet is in compliance with all applicable statutes and regulations, including the FWPCA and regulations issued thereunder.

1304.5 Removal of unauthorized, unsafe, and derelict structures. If, at any time, any dock, wharf, floating boathouse, non-navigable houseboat . . . or other fixed or floating structure or facility anchored, installed, constructed, or moored under a license, permit, or approval from TVA is not constructed in accordance with plans approved by TVA, or is not maintained or operated so as to remain in accordance with such plans, or is not kept in a good state of repair and in good, safe, and substantial condition, and the owner or operator thereof fails to repair or remove such structure (or operate or maintain it in accordance with such plans) within ninety (90) days after written notice from TVA to do so, TVA may cancel such license, permit, or approval and remove such structure, or cause it to be removed, from the Tennessee River system and/or lands in the custody or control of TVA. Such written notice may be given by mailing a copy thereof to the owner's address as listed on the license, permit, or approval or by posting a copy on the structure or facility. TVA will remove or cause to be removed any such structure or facility anchored, installed, constructed, or moored without such license, permit, or approval, whether such license or approval has once been obtained and subsequently canceled, or whether it has never been obtained.

1304.108 Conditions of approvals. (c) . . . no plans will be approved for any structure, including by way of example only, boat docks, piers, fixed boathouses, floats or rafts, if they provide for toilets, living or sleeping quarters, or any type of enclosed floor space in excess of 25 square feet, not including walkways around boat wells or mooring slips. Such walkways shall not exceed 4 feet in width unless, in the sole judgment of the Director of the Division of Property and Services, the size of the well or slip justifies a greater width. For the purposes of these regulations, floor space shall not be deemed enclosed solely because of plans providing for the use of wire mesh or similar screening which leaves the interior of the structure or facility open to the weather. And, provided, further, that nothing contained in this paragraph shall be construed as prohibiting enclosure of the boat well or mooring slip proper. In the case of applications for structures to be used as part of a public boat dock, marina, or other public or commercial facility, the requirements of this paragraph (c) may be waived or modified by the Director of the Division of Property and Services if he considers such waiver necessary or desirable for proper development of the facility.

1304.200 Scope and intent. These regulations govern the designation of harbor areas at commercial boat docks and the approval of structures and facilities which may be moored or installed in such areas and in other areas in the Tennessee River and its tributaries, all in such a manner as to avoid obstruction of or interference with navigation and flood control, avoid or minimize adverse effects on public lands and reservations, prevent the preemption of public waters by houseboats moored in permanent or semipermanent locations outside such harbors and used as floating dwellings, obtain the widest range of beneficial uses of land and land rights owned by the United States of America, enhance reasonable recreational use of TVA reservoirs by all segments of the general public.

protect lands and land rights owned by the United States alongside and subjacent to TVA reservoirs from trespass and other unlawful or unreasonable uses, and maintain, protect, and enhance the quality of the human environment.

1304.201 Definitions. The following words or terms shall have the meaning specified in this section, unless the context requires otherwise:

Existing as applied to floating boathouses or other structures, except houseboats, means those which were moored, anchored, or otherwise installed on, along, or in a TVA reservoir on or before July 1, 1972. *Existing* as applied to houseboats shall mean those which were moored, anchored, or otherwise installed on, along, or in a TVA reservoir on or before February 15, 1978.

Floating boathouse means a floating structure or facility, any portion of which is enclosed, capable of storing or mooring any houseboat or other vessel under cover.

Houseboat means any vessel which is equipped with enclosed or covered sleeping quarters.

Navigable houseboat means any self-propelled houseboat having maneuverability which is (a) built on a boat hull or on two or more pontoons; (b) equipped with motor and rudder controls located at a point on the houseboat from which there is forward visibility over a 180° range; and (c) in compliance with all applicable State and Federal requirements relating to watercraft; provided, however, that any existing houseboat which was deemed navigable under the provisions of the former § 1304.201, which became effective November 21, 1971, shall continue to be deemed navigable for all purposes of this subpart, except that such houseboats shall be subject to the provisions of § 1304.203(d).

New as applied to houseboats, floating boathouses, floats, or other structures means all houseboats, floating boathouses, floats, or other structures, other than existing ones.

Nonnavigable houseboat means a houseboat not in compliance with one or more of the criteria defining a navigable houseboat.

Pontoon means an elongated watertight box or cylinder extending fore and aft for the full length of a vessel and having a sloped or molded bow to facilitate movement through the water.

Vessel means any watercraft or other structure or contrivance used or capable of use as a means of water transportation, such as a boat, floatboat, or houseboat.

1304.202 Designation of harbor areas at commercial boat docks. The landward limits of harbor areas are determined by the extent of land rights held by the dock operator. The lakeward limits of harbors at commercial boat docks will be designated by TVA on the basis of the size and extent of facilities at the dock, navigation and flood control requirements, optimum use of lands and land rights owned by the United States, and on the basis of the environmental effects associated with the use of the harbor. Mooring buoys or slips and indefinite anchoring are prohibited beyond such lakeward limits, except as otherwise provided in these regulations.

1304.203 Houseboats. (a) No new nonnavigable houseboat shall be moored, anchored, or installed in any TVA reservoir.

(b) Existing nonnavigable houseboats may remain in TVA reservoirs subject to the provisions of paragraph (d) of this section, but only if (1) they have flotation devices complying with § 1304.3; (2) they are approved and numbered pursuant to §§ 1304.205 and 1304.206; and (3) they are moored in compliance with paragraph (c) of this section.

(c) Existing nonnavigable houseboats shall be moored:

1. To mooring facilities provided by a commercial dock operator within the designated harbor limits of his dock; or
2. To the bank of the reservoir outside the designated harbor limits of commercial boat docks, if the houseboat owner is the owner or lessee of the abutting property at the mooring location (or the licensee of such owner or lessee) and has requested and obtained from TVA, pursuant to § 1304.205, written approval authorizing mooring at such location.

(d) Ordinary maintenance and repair of existing nonnavigable houseboats permitted to be moored pursuant to this section may be continued, including replacement of metal drum flotation as required by § 1304.3, but such houseboats may not be structurally modified or expanded, nor may they be replaced, rebuilt, or returned to the reservoir when they have been abandoned, destroyed, or removed from the reservoir or have deteriorated or been damaged so as to be unusable and unrepairable.

§ § 1304.203(a) and 1304.204(b) of Title 18 of the Code of Federal Regulations prohibit new nonnavigable houseboats and new floating boathouses not meeting the requirements of § 1304.205(d) in TVA reservoirs. These sections also provide that existing nonnavigable houseboats approved for continued mooring on TVA reservoirs and all floating boathouses shall be moored: (1) To mooring facilities provided by a commercial dock operator within the designated harbor limits of his dock; or (2) to the bank of the reservoir outside the designated harbor limits of commercial boat docks, if the houseboat or boathouse owner is the owner or lessee of the abutting property at the mooring location (or the licensee of such owner or lessee) and has requested and obtained from TVA, pursuant to § 1304.205, written approval authorizing mooring at such location.

In all cases where more than one person owns or leases the abutting property at a present or proposed mooring location as tenants in common or in any other sort of cotenancy, TVA interprets the terms "the owner or lessee of the abutting property" and "such owner or lessee" in 18 CFR § 1304.203(c)(2) and § 1304.204(b)(2) as meaning all of the owners of such abutting property. The owner or owners of only a fractional interest or of fractional interests totaling less than one in any such property shall under no circumstances be considered, by virtue of such fractional interest or interests only, to be the "owner or lessee" of such abutting property for the purposes of 18 CFR § 1304.203(c)(2) or § 1304.204(b)(2) and, as such, eligible to moor or license others to moor as provided therein without the consent of the other coowners.

1304.204 Floating boathouses. (a) Floating boathouses may be moored in TVA reservoirs only if (1) they have flotation devices complying with § 1304.3; (2) they are approved and numbered pursuant to § § 1304.205 and 1304.206; and (3) they are moored in compliance with paragraph (b) of this section.

(b) All floating boathouses shall be moored:

1. To mooring facilities provided by a commercial dock operator within the designated harbor limits of his dock; or
2. To the bank of the reservoir outside the designated harbor limits of a commercial boat dock, if the boathouse owner is the owner or lessee of the abutting property at the mooring location (or the licensee of such owner or lessee) and has requested and obtained from TVA, pursuant to § 1304.205, written approval authorizing mooring at such location.

(c) Ordinary maintenance and repair of existing floating boathouses permitted to be moored pursuant to this section may be continued, including replacement of metal drum flotation as required by § 1304.3, but such floating boathouses may not be structurally modified or expanded, or replaced, rebuilt, or returned to the reservoir when they have been abandoned, destroyed, or removed from the reservoir, or have deteriorated or been damaged so as to be unusable or unrepairable; provided, however, that such floating boathouses may be so structurally modified or expanded, replaced, rebuilt, or so returned to the reservoir if they comply with all the requirements of § 1304.205(d) and approval is obtained under that section as for a new floating boathouse. See § 1304.203 for interpretation.

1304.205 Approval of plans for floating boathouses and nonnavigable houseboats. (a) Existing nonnavigable houseboats and all floating boathouses must be approved pursuant to these regulations.

(b) Persons proposing to moor new floating boathouses shall submit applications to TVA prior to commencement of construction or mooring thereof. Applications shall be accompanied by plans showing in reasonable detail the size and shape of the facility; the kind of flotation device; the proposed mooring locations thereof; whether a marine toilet is on the facility; and the name and mailing address of the owner. TVA shall be kept advised of any changes in the kind of flotation devices which may be made by the applicant after approval is granted. Plans described in this section shall be in lieu of the plans specified in § 1304.103(a).

(c) If the proposed mooring location is outside the designated harbor limits of a commercial boat dock, the application and plans shall be accompanied by evidence satisfactory to TVA showing that the applicant is the owner or lessee of the abutting property at the proposed mooring location, or the licensee of such owner or lessee.

(d) Applications for new floating boathouses will be disapproved if the plans provide for toilets, living or sleeping quarters, or enclosed spaces with more than 25 square feet of floor space, not including walkways around boat wells or mooring slips. Such walkways shall not exceed 4 feet in width unless, in the sole judgment of the Director, the size of the well or slip justifies a greater width. A new floating boathouse or part thereof shall not be deemed *enclosed* solely because of plans providing for the use of wire mesh or similar screening which leaves the interior of the structure open to the weather, and nothing contained in this subsection shall be construed as prohibiting enclosure of the boat well or mooring slip proper. Plans for any new floating boathouses will also be disapproved if the proposed flotation device includes metal drums in any form.

(e) Applications for mooring outside designated harbor limits will be disapproved if TVA determines that such proposed mooring

location will be contrary to the intent of these regulations, of § 1304.2, or of any applicable law. Applications will also be disapproved if marine toilets not in compliance with § 1304.4 are proposed.

(f) Approvals of applications shall contain such conditions as may be required by law and may contain such other conditions as TVA determines to be necessary or desirable to carry out the intent of these regulations or other applicable law. Included, without limitation, among such conditions are conditions relating to the mooring of houseboats and floating boathouses at locations outside the designated harbor limits of commercial boat docks. Strict compliance with all conditions will be required.

1304.206 Numbering and transfer of approved facilities. (a) Upon approval of an application concerning a nonnavigable houseboat or floating boathouse, TVA will assign a number to such facility. The owner of the facility shall paint such number on, or attach a facsimile thereof to, a readily visible part of the outside of the facility in letters and figures not less than three (3) inches high. The placement of such number shall be consistent with the requirements of any State or Federal law or regulation concerning numbering of watercraft.

(b) The transferee of any floating boathouse or nonnavigable houseboat approved pursuant to these regulations and which, after transfer, remains subject to these regulations, shall promptly report such transfer to TVA. A facility moored at a location approved pursuant to these regulations shall not be moored at a different location without prior approval of such location by TVA, except for transfers of location to or between mooring facilities provided by commercial dock operators within the designated harbor limits of their docks.

Information concerning contents of applications, kinds and amounts of information required to be submitted for specific structures, and suggested forms which can be used are available from one of the following offices:

Manager, Property Management, Western Land Resources District,
Tennessee Valley Authority, Post Office Box 280, Paris,
Tennessee 38242 (Office location: 202 West Blythe Street,
Paris)

Manager, Property Management, Southern Land Resources District,
Tennessee Valley Authority, 170 Office Service Warehouse,
Muscle Shoals, Alabama 35660 (Office location: same)

Manager, Property Management, Central Land Resources District,
Tennessee Valley Authority, Post Office Box 506, Athens,
Tennessee 37303 (Office location: 1101 Congress Parkway,
Athens)

Manager, Property Management, Eastern Land Resources District,
Tennessee Valley Authority, 2611 West Andrew Johnson Highway,
Morristown, Tennessee 37814 (Office location: same)

Appendix 2 Plans and Approvals



Tennessee Valley Authority, 11 Ridgeway Road, Box 220, Norris, Tennessee 37828-0220

March 30, 1994

Mr. Leon R. Beal

[REDACTED]
Bellbrook, Ohio 45305

Dear Mr. Beal:

NORRIS RESERVOIR - WITHIN THE HARBOR LIMITS OF SHANGHAI RESORT

We have reviewed your March 23 request for TVA's approval of plans for the construction of a navigable houseboat to be moored within the harbor limits of Shanghai Resort.

It appears that the proposed structure will meet TVA's requirements for a navigable houseboat if constructed in accordance with the enclosed plans. Any toilet facilities that are installed on the houseboat must be U.S. Coast Guard and/or state approved. It is our understanding that a U.S. Army Corps of Engineers' permit is not required for a navigable houseboat.

Please let us know when construction has been completed, at which time we will inspect and determine if a demonstration of the structure's navigability is required. A copy of TVA's regulations defining navigable houseboats (Section 1304.201) is enclosed for your information.

If you should have questions, please contact me at (615) 632-1823.

Sincerely,

William B. Tidwell

William B. Tidwell
Norris Reservoir Land Management Team

Enclosure

APPLICANT

Name Leon R. Deal
 Address [REDACTED]
Wellbrook, Ohio 43085
 Res. Phone [REDACTED] Date 3/18/1
 Bus. Phone none

Manager, Eastern District
 Division of Land and Forest Resources
 Tennessee Valley Authority
 2611 West Andrew Johnson Highway
 Morristown, Tennessee 37814

Dear Sir:

I request TVA's review of the enclosed plans for a navigable houseboat.

The structure will be moored on Worms Lake at the
 following location:

☒ [REDACTED]
 Name of Commercial Boat Dock

or

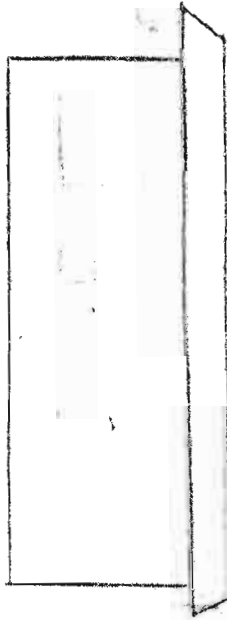
☐ At lot No. in the Subdivision

or

☐ At the location shown on the enclosed map where I own or lease
 the adjoining private property.

Leon R. Deal
 Applicant's signature

PLANS FOR A PROPOSED NEW NAVIGABLE HOUSEBOAT
(See definition of navigable houseboat below.)



Side View



Plan

Indicate outside dimensions of houseboat.

Show location of steering and motor controls so that it can be determined if there is not less than 180° forward visibility.

Show location of windows if controls are on inside of structure.

Give horsepower of motor 50 and State registration No. _____.

Navigable houseboat means any self-propelled houseboat having maneuverability which is (a) built on a boat hull or on two or more watertight pontoons; (b) equipped with motor and rudder controls located at a point on the houseboat from which there is forward visibility over a 180° range; and (c) in compliance with all applicable State and Federal requirements relating to watercraft.

1. Describe type of flotation _____

_____ foam enclosed in aluminum

2. Toilet Facilities:

a. Houseboat has marine toilet ☒

Brand Name _____ Model No. _____

Coast Guard Certification No. _____

b. Houseboat does not have a toilet ☐

Name of Applicant _____

Address _____

_____ Toledo, Ohio 44105



Tennessee Valley Authority, 17 Ridgeway Road, Box 920, Norris, Tennessee 37828-0920

September 22, 1994

Mr. & Mrs. Henry Boles

~~Route 1, Box 182~~

Jellico, Tennessee, 37762

Dear Mr. & Mrs. Boles:

NORRIS RESERVOIR - WITHIN THE HARBOR LIMITS OF SHANGHAI MARINA

A recent inspection of your houseboat located at Shanghai Marina on Norris Reservoir revealed that it had been constructed in accordance with plans approved on November 18, 1994.

Since your houseboat meets our requirements for a navigable structure, we will not require a demonstration of navigability at this time.

Thank you for your cooperation.

Very truly yours,

A handwritten signature in cursive script that reads "William B. Tidwell".

William B. Tidwell

Norris Reservoir Land Management Team

mailed 10-4-93

APPLICANT

Name HENRY & HAZEL BOLES

Address [REDACTED]
JELICO, TN 37762

Res. Phone [REDACTED] Date 10-4-93
Bus. Phone [REDACTED]

Manager, Eastern District
Division of Land and Forest Resources
Tennessee Valley Authority
2611 West Andrew Johnson Highway
Morristown, Tennessee 37814

Dear Sir:

I request TVA's review of the enclosed plans for a navigable houseboat.

The structure will be moored on Norris Lake at the
following location:

☒ Shanghai
Name of Commercial Boat Dock

or

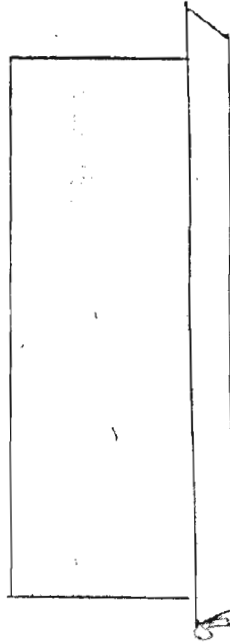
☐ At lot No. _____ in the _____ Subdivision
or

☐ At the location shown on the enclosed map where I own or lease
the adjoining private property.

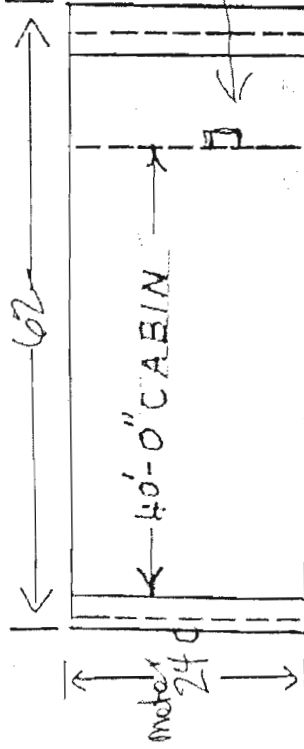
Henry & Hazel Boles
Applicant's signature

OK. by
Rosa Jones
11/9/93

PLANS FOR A PROPOSED NEW NAVIGABLE HOUSEBOAT
(See definition of navigable houseboat below.)



Side View



Plan

Indicate outside dimensions of houseboat.

Show location of steering and motor controls so that it can be determined if there is not less than 180° forward visibility.

Show location of windows if controls are on inside of structure.

Give horsepower of motor 75; and State registration No. _____.

Navigable houseboat means any self-propelled houseboat having maneuverability which is (a) built on a boat hull or on two or more watertight pontoons; (b) equipped with motor and rudder controls located at a point on the houseboat from which there is forward visibility over a 180° range; and (c) in compliance with all applicable State and Federal requirements relating to watercraft.

1. Describe type of flotation Styrofoam

Encased in Aluminum - Tapered Fronts

2. Toilet Facilities:

a. Houseboat has marine toilet ☐

Brand Name Rantap Model No. View

Coast Guard Certification No. _____

b. Houseboat does not have a toilet ☐

Name of Applicant HENRY & HAZEL BOLES

Address JELICO, TN 37762

Appendix 3 Scoping Session Comments

LaFollette, TN: June 24, 2014

LaFollette Commenter 1

TVA has turned a blind eye 15 years and knew the floating houses were being built. Grey water is not an issue and is less a pollutant than oil and gas from all the boat engines. Issue permits to replace old permitted nonnavigable houseboats with new floating houses that have the same cumulative square footage as the old. Factory houseboats are detrimental --- hundreds of steel hulls are sunken. By keeping floating houses in marina harbors, there is less boat congestion. Floating houses are safer than factory houseboats for electrical. No one has been electrocuted by a floating house. Marinas were in place before shoreline residential property owners who complain. Put a value on 4B numbers. Allow exchange for tearing down old house boats and permit a like amount of new floating house square footage. If TVA pursues floating houses, there will be multiple lawsuits from people who sunk their retirement savings and investments.

LaFollette Commenter 2

A TVA representative gave me verbal permission at Indian River Dock to build floating houses and said anything built in the harbor was okay. Six houses have been given TN numbers. There is no discharge. This is too little too late to require disassembly.

LaFollette Commenter 3

I own a floating house at Flat Hollow. I called TVA 9 years ago to ask about registration and was told they weren't going to concern themselves with that and would leave it up to the counties. They should be regulated. There isn't much difference between floating houses and houseboats regarding greywater and other impacts. Don't make me tear mine down. We'll end up in court. Consider the economic impact on counties. If you get rid of floating houses, get rid of houseboats that never move. Most floating house owners spend \$6-10k every year before they open the door.

LaFollette Commentor 4

It is great TVA is doing something about the issues that have been brought up--- electrical, safety, mooring, the environment. But TVA does not have the ability to enforce anything. They can make rules but the only thing they can enforce is to the marinas. Responsibility to enforce has to come from marinas.

LaFollette Commenter 5

Floating houses have been allowed to proliferate without any measures taken by TVA to oversee the development of marinas and floating houses. Many people have spent millions, whether or not they were permitted. As a result, if enforcement actions are taken and regulations change, then arguably was a taking in violation of the constitution. I understand the need to regulate. Begin enforcing regulations. Grandfather the existing and prohibit manufacture. This time police it. Don't allow it to happen again. Water concerns can be addressed through appropriate regulations. Regulate grey water. Prohibit black water. Need inspections. Now I understand the concern with the ultimate fate and disposal long term. This is unfair for ratepayers to pay for cost of reclamation. Exact a fee from floating house owners --- yearly to establish a trust fund to use if needed for reclamation.

LaFollette Commenter 6

Do a one-time grandfather clause. Suggest a \$500 assessment to license the floating house, and post like a 4B number. Then charge \$200 per year from then on. Inspect electric and sewage.

LaFollette Commenter 7

Have general floating house and maintenance inspections every couple of years. Have mooring cables and additional anchoring in middle of mooring cables. To limit movement of floating houses would be good. Everyone I've talked to is more than happy to pay a reasonable registration fee. These moneys could help support the employees needed to implement this. A number system makes it easy to see what's inspected and what is compliant.

LaFollette Commenter 8

I put my life savings and planning on retirement in my 4B houseboat and I don't want to lose it. It is in good shape and has been maintained 15 years. It is 39 years old and still looks good. The guy next to me owes \$100k on his and would be a major hardship if lost. I agree the safety issues, hazardous issues need to be addressed.

LaFollette Commenter 9

Mussels on Norris were brought from Michigan. TVA, TWRA, TDEC need an initiative to take care of the problem. Infested by wakeboard boats.

LaFollette Commenter 10

On grey water require mandatory natural soaps. Need grease interceptors. For electrical need ground fault protection. Set up a program with volunteers and provide a barge with large trash cans that can move around and receive trash collections. If you find a piece of foam there is no place to take it and marinas frown on you if you bring it in. As for logs, I hear they can't be removed due to environmental rules or due to the turtles. Need to get some of the larger logs out of the river.

LaFollette Commenter 11

In 2006, we purchased two floating homes with the idea of starting our own vacation rental business. We had to use a commercial harbor to do that or own property that has dockage rights. Because we were in business, we wanted to follow the rules. Trying to get them licensed, TVA said, that's not our job, go to TWRA. We went to TWRA. They said, No, TVA is the controlling authority for the lake. So after running around in circles for about a month and a half, my wife and I just said, we'll just go to the courthouse and register it as a boat, which we did. We put TN numbers on the hulls. It's not a boat; it's a house. And I think that somebody needs to step up to the plate and say I've got the responsibility to take care of the floating house and the issues on the lake, and these are the rules that we're going to go by, and they're not going to be deviated from, just like the laws on the highway when you're driving a car. So not only do we have to have a set of rules to go by, but they have to be enforced. I don't see that happening now. The reason I don't see that happening now is I'm aware of at least three houses that are being built after the TVA said no more, and they are bigger or have a bigger footprint than the original 4B permitted back before 1978. These things are giants. Somebody has to be the authority to go and enforce the rules, make sure everybody is in compliance, and that everybody is going to be happy.

LaFollette Commenter 12

I agree 100 percent, the electrical is an issue that needs to be taken care of. My comment is that this should have been happening, what they're doing now should have happened a longtime ago. Back in 2006, when we bought our floating houses, we tried to find all the information we could on what the rules were, what we needed to do. Nobody could help us. We called the TVA; we called the TWRA. And, finally, somebody said, well, just put a TN number on it. So that's what we did. And we have two of them, because we were renting them out. Then we found out later that those didn't really mean anything. We needed 4B numbers, which weren't being given out anymore. So therefore, we could lose our houses if they wanted to take

them away from us. And when they do what they're doing, they have to enforce it. Anyone here is going to go around all of these rules if it's not enforced and kept up with. There should have been rules a long time ago, when these floating houses were being built, and there were no rules or regulations. They should have started enforcing them or making rules or stopping all of it, if they didn't want it. Now it's a little late to tell us, you've spent \$200,000 on two houses; now we're going to make you tear them down. I don't think that's really right.

LaFollette Commenter 13

I suggest that the TWRA -- any out-of-state personal watercraft need to have some kind of a sticker. They need to pay TWRA in order to put their boat on Norris Lake. I don't see anything wrong with that. If you come from Ohio and you bring a boat from Ohio down here to Norris Lake, before you can put that boat in the water, you've got to have paid TWRA some fee, and they'll issue you a sticker. TWRA can make some money off of them, jet skis, boats, ski boats, whatever. Because there's probably more people from out of state that come on this lake than the locals. It's just a big vacation spot for a lot of different states around here, and I just feel like the TWRA is losing a lot of money by not getting some kind of fee off of them. The gray water issue, from what little bit I know about it, the lake is big enough, it moves enough that that shouldn't be an issue. If they think it's some kind of issue, they need to get out there and test the water. It's really no different if you have got a septic tank at home. That water goes into the ground at home and eventually, gets into the water system somewhere. I don't think they should take these boats off the lake, because it would be catastrophic to the economy in Campbell County and the surrounding counties. Why are they coming down on me, wanting to start making me pay some kind of extra fee? How did they allow all these other boats that sit out there, and I've been paying every year? I could have not paid, but I did. I have seen a lot of houseboats out there with stickers on the side of them out of date two or three years. But I paid mine. I felt like I'm supposed to pay it. I don't want to be penalized. I have been paying my part and doing what they asked. Don't come up on me now and say you want to make me take the boat off the lake. I just bought this new houseboat four years ago. They should already have had this worked out 35 years ago. Don't allow these boats to be built and say no they don't meet code, the standards, this and that. It's a little late now to be saying that. I can't believe that they didn't make these boats start paying earlier. If you have a floating house with a hull number, does it fall under the floating house regulations, or does it go back to the hull number -- is it exempt from these new floating house regulations? I had heard that for these electrical codes, TVA couldn't afford to send inspectors out to inspect every houseboat on Norris Lake to see if it meets the standard. Well, if that is such an issue, then let the houseboat owner pay for that inspection, a qualified inspector, so that would take the load off of TVA. Let the houseboat owner pay his own inspection

Appendix 4 Economic Statement

www.tnvacation.com/press

FOR IMMEDIATE RELEASE

Cindy Dupree

DATE: Aug. 18, 2015

Cindy.dupree@tn.gov

CONTACT:

GOVERNOR BILL HASLAM AND TENNESSEE TOURISM ANNOUNCE RECORD-BREAKING ECONOMIC IMPACT NUMBERS

Tourism Revenues in Campbell County Up 7.5%

NASHVILLE, Tenn. — Governor Bill Haslam and Commissioner Kevin Triplett, Tennessee Department of Tourist Development, today announced during a special event at the Ryman Auditorium that tourism's direct domestic and international travel expenditures reached \$17.7 billion in 2014, up 6.3 percent, and an all-time high for the state. Tourism-generated jobs for Tennesseans reached 152,900, an increase of 2.8 percent. State and local sales tax revenue for the industry topped \$1.5 billion, up 7 percent over 2013, and the ninth consecutive year tourism topped \$1 billion, according to the latest statistics from the 2014 Economic Impact of Travel on Tennessee as reported by U.S. Travel Association.

For the first time in history, travel to Tennessee topped 100 million, achieving 101.3 million person stays, a 5.1 percent increase over 2013. International travel increased 8.4 percent, reaching \$576.5 million in economic impact. All 95 counties in Tennessee had more than \$1 million in direct travel expenditures, 19 counties saw more than \$100 million, and three counties, Davidson, Shelby and Sevier, had more than \$1 billion in economic impact. Knox and Hamilton Counties round out the Top 5 with nearly \$1 billion in economic impact. Tennessee is ranked in the Top 10 destinations in the U.S. for total travel.

Tourists spent a total of \$54.24 million in Campbell County in 2014, an increase of 7.5% compared to 2013, generating a total of \$3.04 million in state and \$2.79 million in local tax revenues, increases of 8.4% and 7.7%, respectively. A total of 441 Campbell Countians are employed in tourism-related fields.

"This increase in tourism across the board is a result of the strategic work of Tourist Development, the Tourism Committee, and the entire tourism and hospitality industry," Haslam said. "We want Tennessee to be a place people from all over the world want to visit. The data shows that's happening, and more jobs and \$1.5 billion in sales tax revenue is good news for every Tennessean."

Tennessee's customer satisfaction landed at an impressive 8.5 out of 10. The satisfaction scores are greater than those of the average U.S. destination.

"Tourists are drawn to Tennessee for our world-renown music, outstanding attractions, stunning scenic beauty," Triplett said. "But, at the end of the day, people keep coming to Tennessee for our authenticity and exceptional, Southern hospitality. That is the 'made in Tennessee' brand delivered to our visitors every day by our communities and partners."

The Tennessee Tourism Committee, appointed in 2011 by Gov. Bill Haslam, is made up of tourism leaders in both the public and private sectors. TTC is chaired by Colin Reed, Ryman Hospitality Properties, Inc., and co-chaired by Jack Soden, Elvis Presley Enterprises, Inc. and Sande Weiss, president of Music Road Resort.

For more information contact Cindy Dupree, director of public relations for the Tennessee Department of Tourist Development, at 615-418-5752 or by email at Cindy.Dupree@tn.gov.

CAMPBELL COUNTY TRAVEL SNAPSHOT

Facts About a Leading Industry That's More Than Just Fun

BY THE NUMBERS

2014 Economic Impact of Tourism in Campbell County

- Generated **\$54.24 MILLION** in direct tourism expenditures
- Generated **440 jobs**
- Produced **\$9.19 MILLION** in payroll
- Created **\$2.79 MILLION** in local tax revenue
- Created **\$3.04 MILLION** in state tax revenue

ON AN AVERAGE DAY

On An Average Day In 2014, Tourist Spending in Campbell County

- Generated **\$148,602** in daily expenditures
- Produced **\$25,178** in daily payroll
- Created **\$7,643** daily in local tax revenues
- Created **\$8,328** daily in state tax revenues

PER HOUSEHOLD

As a result of taxes generated by tourist activity in the county:

- Each household pays **\$365.31** less in local and state taxes
- Each household pays **\$174.82** less in local county taxes
- Each household pays **\$190.48** less in state taxes

IN OTHER WORDS....

If it were not for state and local taxes generated by tourism...

- *Each Campbell Co. household would pay \$365.31 more in taxes*

Sources: 2013 Economic Impact of Travel on Tennessee Counties Report
www.invacation.com/industry; U.S. Census Bureau Quick Facts by County
<http://quickfacts.census.gov/>

Appendix 4

Appendix 5 Wilks Base Personal Expenses

**Basic Yearly Costs of Floating Homes Based on Wilks
Expenditures at Shanghai Resort, LaFollette, TN**

Buoy Fees For Floating House	\$ 2,664.00
Dock Fees for Boat to reach Floating House	\$ 2,184.00
Electricity (averages \$100.00 per month)	\$ 1,200.00
Floating Home Insurance	\$ 1,295.00
Sanitation - Norris Lake Pumping	\$ 500.00
Water from Marina	\$ 168.00
Total	\$ 8,011.00

N.L.P.
Your One Stop, Sanitation Stop
Pumping Contract
Shanghai Resort
'2016 Clean Marina'
(Pumping Dates)

(First pumpout April 12th every other week October 11th last!!)

The cost of this contract will be \$500.00 for months listed above (total 14 pumpouts).
Contracts *must* be paid in full and postmarked by March 20th for discount after that date the cost will
be \$530.00. NO Special rates unless new owner.

Service charge of \$35.00 and .75 per gallon, if needed other than regular pumping dates.

This contract shall follow all the laws of the Tennessee and TWRA or houseboat waste and the guidelines of
TVA for this project.

The day of pumping under this contract will begin on Tuesday every other week there after. The
owner of the houseboat must sign this contract and make advance payment to Norris Lake Pumping.
As an additional service to you, Norris Lake Pumping will ensure that TVA receives documentation
of the contract and proof of payment. This project and contract is good only this year 2016. All
collection of pumping records from each houseboat will be sent to TVA for monitoring this project.

Signed this 15th day of MARCH
Owner Michael + Pamela L. Wilson
Check or M.O. # _____
Boat # (TN or 4B) FH B Line @ Shanghai
Boat Name _____
Boat Location Shang Hai Slip # _____
Customer phone (437) 667-8120

Norris Lake Pumping
525 Cove Pointe Road
La Follette, TN 37766
(423) 562-3594 office
(865) 617-6178 cell

Have a great summer!!!!
"PUMP IT, DON'T DUMP IT"
(Please return the complete contract)

Shanghai Resort

P O Box 1000
LaFollette, TN 37766
www.ShanghaiResort.com

Statement

DATE

9/1/2016

BILL TO

WILKS, PAMELA

TIPP CITY, OH 45371

*pd 9/6/16
ck# 3316*

AMOUNT DUE	AMOUNT ENC.
\$5,176.00	

DATE	DESCRIPTION	AMOUNT	BALANCE		
06/26/2012	PMT #199954. Gift from Maggie Strong	-75.00	-75.00		
09/01/2015	INV #67809. Orig. Amount \$5,016.00. --- 10 X 30 SLIP YR \$2,184.00 --- BUOY PLUS YRLY \$2,664.00 --- BUOY WATER YR \$168.00 --- Tax: 9.25% SALES TAX @ 9.25% = 0.00	75.00	0.00		
07/01/2016	INV #71313. Orig. Amount \$160.00. --- BOAT STORAGE, 2 @ \$80.00 = 160.00 --- Tax: 9.25% SALES TAX @ 9.25% = 0.00	160.00	160.00		
08/01/2016	INV #71016. Orig. Amount \$2,832.00. --- BUOY PLUS YRLY \$2,664.00 --- BUOY WATER YR \$168.00 --- Tax: 9.25% SALES TAX @ 9.25% = 0.00	2,832.00	2,992.00		
09/01/2016	INV #71801. Orig. Amount \$2,184.00. --- 10 X 30 SLIP YR \$2,184.00 --- Tax: 9.25% SALES TAX @ 9.25% = 0.00	2,184.00	5,176.00		
CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	AMOUNT DUE
2,184.00	0.00	2,992.00	0.00	0.00	\$5,176.00

No

#5016-

WE APPRECIATE YOUR BUSINESS. IN FAIRNESS TO ALL OUR CUSTOMERS, MONTHLY CHARGES ARE DUE THE 1ST OF THE MONTH. THERE IS A \$20 LATE FEE AFTER 10TH OF MONTH AND 18% ON OVERDUE BALANCE.

**** POLICY STATUS NOTICE ****
Your Authorized Agent: 1-423-562-3665

BARRY D ENLOW
C/O SECURITY INSURANCE AGENCY
PO BOX 609
LAFOLLETTE TN 37766



Date Prepared:	12/10/2015
Policy Type:	PROPERTY
Policy Number:	085 004 737 52 98
Agent Name:	BARRY D ENLOW

N 085 016040 0047375298 41 000

PAMELA WILKS

~~333 YORK MEADOWS DR~~
TIPP CITY OH 45371-2461

Important Policy Information

Last Payment Amount: \$647.50
Includes Service Charge:
Includes Other Charges: \$0.00
Pay in Full: \$647.50

Pay Half

Property Address: 1042 SHANGHAI ROAD LAFOLLETTE, TN 37766

Important Information for PAMELA WILKS

Thank you for your recent policy payment. You may choose to pay your policy in full now, to avoid service charges on future bills.

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic funds transfer from your account or to process the payment as a check transaction.

Payments can be made by check or credit card at amig.com, by mail at the address listed on the reverse side or by calling our automated system at 1-800-543-2644

Please Detach This Coupon and Return With Your Payment

Policyholder:

PAMELA WILKS
~~333 YORK MEADOWS DR~~
TIPP CITY OH 45371-2461

Policy Number: 085 004 737 52 98

Payment Due Date:

Minimum Amount Due (including charges) \$0.00

OR

Pay in Full: \$647.50

Please indicate any address/phone number changes below:

☐ Named Insured Mailing Address ☐ Risk Address

New Address: _____

City: _____ State: _____ Zip Code: _____

Home Phone: (____) _____ Work Phone: (____) _____

E-Mail: _____

Please make checks payable to:

AMERICAN MODERN SELECT INSURANCE COMPANY

☐ Visa ☐ Mastercard ☐ American Express ☐ Discover

Card Number: _____

Exp. Date (MM/YY): _____

Amount to be Charged: \$ _____

Signature: _____

08500473752980 000000000 000647508 7728010000

07732-001

**LAFOLLETTE UTILITIES**P.O. Box 1411
LaFollette, TN 37766

ADDRESS SERVICE REQUESTED

CUSTOMER ACCOUNT NO.	47732-001
AMOUNT DUE:	82.64
DUE DATE:	07-05-16
LATE CHARGES:	0.00
AMOUNT DUE AFTER DUE DATE:	82.64

00000082640705201600000082640000477320015

003288

***AUTO**MIXED AADC 280 3288 T11:14
PAMELA & MICHAEL WILKS

TIPP CITY OH 45371-2481

LAFOLLETTE UTILITIES
P.O. BOX 1411
LAFOLLETTE, TN 37766This bill is now due and payable. Service may
be discontinued if not paid.

PAGE 1

NO FURTHER NOTICE WILL BE MAILED.

This bill is now due and payable. Service may be discontinued
without further notice if unpaid 5 days after past due date.**LAFOLLETTE UTILITIES**P.O. BOX 1411
LAFOLLETTE, TN 37766
(423) 562-3316
(800) 352-1340

ACCOUNT NUMBER:	47732-001	CYCLE NO.:	21
METER NUMBER:	ELE-11814637, WTR-		
CUSTOMER NAME:	PAMELA & MICHAEL WILKS		
SERVICE ADDRESS:	SHANGHAI DOCK		
METER READING DATE:	ELE-06-08-16, WTR-		
BOOK/SEQUENCE NO.:	146/596	DUE DATE:	07-05-16

SERVICE	BILLING DATE	PREVIOUS READING	CURRENT READING	MULTIPLIER METER DEMAND	AMOUNT DUE	AMOUNT
ELECTRIC (KWH)	06-09-16	61010	61670	1	660	82.64

PREVIOUS AMOUNT BILLED	PAYMENTS	ADJUSTMENTS	BALANCE FORWARD	OTHER DEBITS AND CREDITS	CURRENT CHARGES	AMOUNT DUE
72.75	72.75	0.00	0.00	0.00	82.64	82.64

BUDGET BILLING
Y T D DIFFERENCEAMOUNT DUE
AFTER DUE DATE

82.64

PLEASE LOOK ON BACK OF BILL

COMPARE YOUR USAGE

PERIOD	DAYS	KWH USED	DAILY AVG KWH	WATER GALS USED	DAILY AVG GALS
CURRENT	29	660	22		
LAST MONTH	29	605	20		
YEAR AGO	28	573	20		

**LAFOLLETTE UTILITIES**P.O. Box 1411
LaFollette, TN 37766

ADDRESS SERVICE REQUESTED

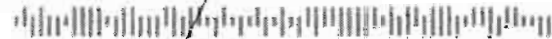
CUSTOMER ACCOUNT NO.	47732-001
AMOUNT DUE:	167.91
DUE DATE:	08-09-16
LATE CHARGES:	0.00
AMOUNT DUE AFTER DUE DATE:	167.91

00000167910809201600000167910000477320015

003316

***AUTO**MIXED AADC 280 3316 T11:14
PAMELA & MICHAEL WILKS

TIPP CITY OH 45371-2461

LAFOLLETTE UTILITIES
P.O. BOX 1411
LAFOLLETTE, TN 37766This bill is now due and payable. Service may
be discontinued if not paid.

PAGE 1

NO FURTHER NOTICE WILL BE MAILED.

This bill is now due and payable. Service may be discontinued
without further notice if unpaid 5 days after past due date.**LAFOLLETTE UTILITIES**P.O. BOX 1411
LAFOLLETTE, TN 37766
(423) 562-3316
(800) 352-1340

ACCOUNT NUMBER:	47732-001	CYCLE NO.	21
METER NUMBER:	ELE-11814637, WTR-		
CUSTOMER NAME:	PAMELA & MICHAEL WILKS		
SERVICE ADDRESS:	SHANGHAI DOCK		
METER READING DATE:	ELE-07-12-16, WTR-		
BOOK/SEQUENCE NO.:	146/596	DUE DATE:	08-09-16

SERVICE	BILLING DATE	PREVIOUS READING	CURRENT READING	MULTIPLIER METER DEMAND	AMOUNT USED	AMOUNT
ELECTRIC (KWH)	07-13-16	51670	63122	1	1452	167.91

PREVIOUS AMOUNT BILLED	PAYMENTS	ADJUSTMENTS	BALANCE FORWARD	OTHER DEBITS AND CREDITS	CURRENT CHARGES	AMOUNT DUE
82.64	82.64	0.00	0.00	0.00	167.91	167.91

BUDGET BILLING Y-T-D DIFFERENCE	AMOUNT DUE AFTER DUE DATE
	167.91

PLEASE LOOK ON BACK OF BILL

COMPARE YOUR USAGE

PERIOD	DAYS	KWH USED	DAILY AVG KWH	WATER GALS USED	DAILY AVG GALS
CURRENT	04	1452	42		
LAST MONTH	30	460	15		
YEAR AGO	29	1038	35		

Appendix 6 Summary of Comments TVA Scoping Report

Summary of Comments Received Following TVA Presentations at Various Meetings

Norris Marina Owners Association - April 8, 2014 - Whitman Hollow Marina

Summary:

- The old 4B houseboats are the problem and are not maintained properly. They don't meet current standards like the new floating houses we have built. The newer floating houses are better quality. TVA doesn't understand about these facilities. If you used one you would enjoy them like our customers.
- Put a value on the 4B numbers because many are unsanitary, derelict and have no value. Get rid of the 4Bs and swap out for new floating houses that meet new standards.
- The slide of the proposed floating residential subdivision is a concept/not real, and that operation went bankrupt.
- Norris is a mooring lake and there is little or very low percentage of residential use.
- The issues you are concerned with are common to commercial house boats as well. The floating houses have been a replacement for/ progression from factory houseboats. There are many factory houseboats still out there that will not meet current standards.
- The recent drownings on Cherokee etc... were caused by metal factory house boats with faulty electrical components ---- not floating houses. The marina facilities were not the cause.
- There are more problems with private boat docks not being maintained and becoming derelict than floating houses and 4B's.
- It is not our fault we're out of our harbor limits. My facilities have not been moved since I bought the marina (2000) and I was never told there was a compliance problem until later. We did not have the advantage of current technology and GPS accuracy. How do you know the harbor limits when trying to read an old small hand-drawn map. Are harbor limits established for all marinas? My marina is in the smallest harbor limit footprint to date based on previous aerial photos.
- The growth on Norris of shoreline residential homes has brought an attitude from property owners that the marinas are encroaching on their view and their water when the marinas were there first. Development pressure brings more use conflicts regarding shoreline and water.
- You are talking about management alternatives --- alternatives to what?
- Use the KISS principle. This issue has gotten out ahead of TVA, and a workable approach would be to grandfather the existing structures and set new requirements and standards for the ones that remain.
- I recommend that TVA comes out quickly to say the existing facilities/floating houses will be grandfathered. You won't be able to take the heat if you try to prohibit and remove them.
- If you are approved to rebuild a 4B on Norris, why can't a size increase be permitted?
- Hopefully TVA can find an approach that is fair across the system. Next meeting is May 11.

TVA has not enforced the rules you have now regarding sub-standard 4B's, and you have allowed more floating houses and nonnavigable structures to be built without approval.

May 7, 2014 Powell Valley Electric Cooperative

Summary:

- Does TVA allow independent anchoring or require docking at slips with utility connections?
- Suggestion was made to allow permanent anchors underwater --- drilled in rock.
- Trees can be pulled down by wind when used for mooring which has happened in the past at Cedar Grove.
- What will TVA do in the interim until rules are modified?
- Something has to be done to address the issues and TVA is on the right track.
- Put more responsibility for regulation on the marinas --- they are making money from the customers and floating house owners. Some type of bond requirements or security assurance should be considered.

May 8, 2014 - TVA Gray, TN Office - Marina Owners: Upper Holston reservoirs

Summary:

- GFI protection only at the main service line causes a service disruption at all other connections and you still won't know where the problem occurred.
- Would floating houses rented by a marina be within scope, and is revocation of permits and removal of structures in the scope of review? Office, restaurant and other similar structures are not in scope.
- Why does TVA make campers on TVA land move out of their site for two weeks but houseboats and floating houses never move. They should be treated like campers.
- Thanks for meeting with us in this setting. When I started at Laurel Marina my only business was 17 nonnavigable houseboats. Marina owners and their families have planned and made huge financial investments based on current rules and guidelines. If the rules and guidelines change we could be devastated.
- The demand to buy TVA nonnavigable houseboat (NNHB) numbers and to relocate is high and people want to sell their numbers.
- There is an inconsistent policy regarding size allowed for expansion of NNHB. Why did you change guidelines? This has a big impact on potential customers who want to invest a lot of money in rebuilding a NNHB instead of buying an expensive large commercial factory houseboat.
- What is the problem with these structures other than safety?
- TVA should require an extra fee (ex. \$400/yr.) for the privilege of having a NNHB or floating house. Use the revenue for management and inspection.
- The NEPA process will drive TVA to an extreme decision for environmental protection and prohibiting.
- TVA is liable for allowing these unpermitted unregulated structures to happen.
- There is federal legislation being considered that may allow houseboats and floating cabins (Cumberland River) if they meet criteria for a recreational vessel.
- Would TVA allow floating houses if they are put in a slip and moored on a walkway?
- If you have an approved harbor limit, why not allow living on a houseboat or floating house?
- The impact of TVA policy changes can have a large effect on the value of marinas and the ability to get loans. If a marina goes bankrupt, it impacts the value of many surrounding marinas.
- Consider the option of grandfathering the unpermitted structures, and address the most important safety issues and regulations.
- Limit mooring to commercial marina harbor limits and require a permit to move to a new marina. Establish safety guidelines.

- Most of the Upper Holston Reservoir NNHB's are moored close to the shoreline or they are on a walkway or pier. Recommend this be required for mooring the floating houses and NNHB's.
- Laurel Marina requires individual electric meters if the HB is not on a walkway/pier with electrical connections.
- How will TVA treat factory houseboats if they never move and are used for habitation?
- Work with the State Fire Marshall offices on electrical safety.
- The situation is out of hand and TVA needs safety guidelines.
- Keep the NNHB and floating houses (if permitted) in marina harbor limits.
- It is unfair to marina owners to allow floating houses at private shoreline property and lots.
- TVA is not comfortable with the NN structures and has to consider what is fair to the owner, and to the public/taxpayer. Why not charge 5% of the cost of a land use agreement and put that revenue toward management. Is the public subsidizing private use and views for HB and floating house owners that are not paying for the benefits?
- Marina owners know who the houseboat and floating house owners are, and can help manage the issues.
- TVA needs a way to enforce rules.
- A No Residential Use policy would hurt some marina operators. You can't really monitor and manage that issue anyway.
- Marinas can't get enough revenue from NNHB's.
- Let marinas continue to have NNHB's and floating houses, and make sure they have permits, and meet standards. Develop safety standards.
- Allow rebuilding of dilapidated NNHB's with numbers if there is space in the marina harbor.
- Grandfather the floating houses but allow no more.
- Don't allow private shoreline property owners to moor NNHB and floating houses at their lot and then rent them out.
- I disagree with TVA's policy that allows private docks. This takes away marina business.
- Why allow people to live on houseboats, but not in campgrounds on TVA public land? Campgrounds lose business when you make the campers leave. A lot of them will not come back.
- A private campground on South Holston has built boat slips that are supposed to be used only by campers with boats and not the general boating public. This has cost some marinas business. The campground can rent the slips for less money.

May 9, 2014 – LaFollette Utilities Board

Summary:

- Some marinas may be sub-metering and reselling electricity at a higher rate in violation of the TVA Act.
- LUB is trying to reduce the number of service poles by grouping multiple connections together.
- LUB has no problem with water supply being sub-metered.
- Has TVA looked at voltage limits on electric lines going in the water? The drop in voltage can be a problem for longer service lines.
- Consider storage of gasoline storage, containers, LP tanks, and natural gas supply (if provided) as part of the safety issues review.

May 13, 2014 – Norris Marina Owners Association at Sequoyah Marina

Summary:

Electrical Safety

- Use field tile to protect wiring from rubbing and abrasion
- Check customer boats wiring to ensure proper ground. Do visual inspection --- contract out if necessary.
- Inspect cords and ensure the right type (marine grade) is used.
- Use leak testers
- Enforcement help; marina owners be able to board boats and have the right to inspect; Have a way to report customers who do not comply with safety requirements.
- Meet current electrical codes.
- Ground Fault Protection – require customers or marina, or both.
- Require certificate of insurance from subcontractors doing work on marina property.
- What is the extent of setting up [ground fault interrupter] GFI? Sequoyah Marina looked at re-working their GFI protection and the cost to do 3 service supply lines was \$15-20k. If you have GFI only at the main supply source, everything can trip but you still don't know where the problem is.

Waste Management

- Require pump out contracts
- Document with marina pump out receipts as a requirement
- Need vessel and [nonnavigable house boat] NNHB/floating house inspections of holding tanks, Y-valves. Issue a sticker or decal to document and then have TWRA, TVA or local government inspect and enforce.
- There are more problems with outside customers not marina renters.
- Use signage to show rules, and distribute handouts to educate boaters.

Mooring Practices

- For TVA land below 1040, permission or permits required for how you moor such as tying to trees in and out of harbor limits. Address through 26a permit process.
- Protect trees and respect others property. Anchor within harbor limits. Sometimes trees are the only alternative for tying up
- Consider dead man anchors and use buoys to mark anchor lines and cables.
- Bury and adjust anchors or cables.
- TVA needs to expedite 26a reviews and process requests quicker for anchoring modifications.

Harbor Limits

- Grandfather current physical harbor limits and reconcile with the permit. Most current marina owners have not moved their facilities but GPS capability has permitted greater accuracy than a hand drawn line on a map. No Norris marinas meet the standards for Clean Marina designation because of being out of harbor limits.
- Maintain floating houses within harbor limits.
- Adjust harbor limits if needed for floating houses (additional permitting)
- Establish list of rules followed by TVA and dock owners for floating houses within harbor limits.
- Don't interfere with waterways.

Water Quality

- Floatation (Styrofoam), grey water, trash/litter, and water supply to customers are issues to consider.
- Zebra Mussels are a future concern.

- Small water supply systems must follow state requirements
- UV systems certified for individual boats and floating houses
- [Tennessee Department of Environment and Conservation] TDEC doesn't like water lines under the water.
- Gray water is not an issue and is not practical to treat.
- Address litter and trash. Keep the water clean of cans and bottles etc...
- Signs to encourage protection of water quality

Other

- TVA should recognize the positive economic benefit/impact that the marinas have. Without them, the only other thing we have is Meth. (Meth doesn't present much opportunity for sale of electricity).
- Flat Hollow pumped 66,000 gallons of black water last year. Shanghai pumped 17,000 gallons of black water 14 years ago when TVA worked with them to do a pilot pump-out program.
- Can people stay in a floating house year-round?
- Some people do stay year-round on houseboats.
- There is some residential use.
- Most all the issues TVA is concerned with also apply to houseboats and vessels with toilets.
- President of GC Cincy (print and web graphics) of Cincinnati presented a framed poster of current aerals for all Norris marinas to the Sequoyah and Flat Hollow marina owners for their association work and support. He also offered TVA use of his current aerial photos that could be used to get a structure count. He further commented that based on discussion with floating house owners he knows, they would have no problem with paying an annual registration/inspection fee that could be used to manage and monitor.

Committee on Oversight and Government Reform
Witness Disclosure Requirement – "Truth in Testimony"
Required by House Rule XI, Clause 2(g)(5)

Name:

Michael T. Wilks

1. Please list any federal grants or contracts (including subgrants or subcontracts) you have received since October 1, 2012. Include the source and amount of each grant or contract.

Not Applicable

2. Please list any entity you are testifying on behalf of and briefly describe your relationship with these entities.

Tennessee Valley Floating Homes Alliance.

I am the President of the group, representing Floating Home Owners, Marina Owners and those who enjoy Floating Homes on TVA Reservoirs.

3. Please list any federal grants or contracts (including subgrants or subcontracts) received since October 1, 2012, by the entity(ies) you listed above. Include the source and amount of each grant or contract.

N/A.

I certify that the above information is true and correct.

Signature:

Date: September 6, 2016

Michael T Wilks



Michael T. Wilks

PROFESSIONAL EXPERIENCE

Mercer Transportation Co.
National Account Executive

2004-Present

Managed key accounts with focus in the Refractory, Metals, and Construction Products Arena. Completed the sales and management process through effective communication and detailed expectations with the client to reach a profitable solution. Worked with 95 field offices as well as corporate dispatchers in the account management with follow up on revenue opportunities. Increased revenue by offering new solutions with Dedicated and Single Source Solutions to existing clients. Worked with the IT Department in providing Service Reports to those customers with special needs to demonstrate our value added services. Negotiate pricing and service agreements with corporate customers.

Dayton United Metal Spinners Co.
Treasurer

2006-present

Assumed this position in the company as a result of a death in the family. Manage the financial, cost and operational accounting and reporting for the company. Turnaround management, taking the company from a loss of over \$90,000.00 to a profit of \$43,000.00 in two years. Improvements included change from a cost basis accounting to an activity based costing system. Negotiated health and welfare benefits for an eight person workforce. Reduced obsolete inventories, and non-profitable product lines. Worked with employees to reduce workforce and improve efficiencies. Developed Website, and Social Media sites. Purchased CNC equipment for improved efficiencies and increase profits.

Freshway Logistics, LLC, Sidney, OH
Director of Transportation

2003-2004

Direct all aspects of a for hire motor carrier, primarily serving the parent company's distribution network. Company supplies fresh cut produce and retail salad kits to the food service industry. Coordinated daily distribution activities with customer service and plant manager to assure customer needs, sales requirements, and production deadlines were met. Implemented on time departure program to increase customer service and meet regulatory requirements. Spearheaded sales and business activities to increase operating unit's profitability. Full P&L responsibility – ensuring proper pricing, expense control, and systems/technology integration.

Mercer Transportation Co., Inc. Louisville, KY
Regional Sales Manager – Central Region

1997-2003

Company is the second largest specialized carrier in the U.S., serving diversified industries including primary metals, construction products, industrial equipment, and military. Direct sales presentations to key executives and front line managers. Increased region sales through introduction of new commissioned agents and market development of existing agent base. Implemented dedicated fleet programs at strategic accounts. Introduced third party logistics programs to the company. Increased sales by implementing and training other regional managers in contact management software. Responsible for market growth in the region.

Pittsburgh Logistics Co., Middletown, OH
General Manager

1995-1997

Company is the largest Third Party Logistics (3PL) provider to the metals market. Was recruited by their largest client to manage over 600 shipments per day from 2 producing mills in 2 states. Coordinate daily shipments planning with Sales, Customer Service, Production Planning, and Mill Operations Managers. Direct the activities of the dispatch, tracing, billing, and information systems departments. Integrate 3PL programs at 3 additional clients. Integrate company's core carriers into additional client base.

Contech Construction Products, Inc., Middletown, OH

1990-1995

Freight Administrator

Company is the largest manufacturer of corrugated steel pipe and related drainage products, servicing state, federal, and local highway projects. Coordinated inbound shipments for 46 manufacturing facilities, with materials managers, plant supervisors, and vendors. Implemented intermodal program to reduce costs, while maintaining minimal inventory levels at select plants. Provided liability protection and cost reduction by instituting contract carrier program. Was responsible for cost allocation, and establishing cost standards.

EDUCATION

University of Wisconsin

Continuing Education Program February 2005

Buying and Selling of Transportation Services

The Ohio State University, Columbus, OH

Bachelor of Science: Business Administration, 1986

Specializing in Production and Operations Management

The Franciscan University of Steubenville, Steubenville, OH

Engineering Science – Attended 1982-1983