

LAND BETWEEN THE LAKES ADVISORY BOARD SUMMARY OF MEETING

November 8, 2023

The Land Between the Lakes (LBL) Advisory Board (Board) convened at 9:00 A.M. on November 8, 2023, at the Forest Service Administrative Office Building, 100 Van Morgan Drive, Golden Pond, Kentucky, 42211. Rick Lint, Chairperson introduced James “Jim” McCoy as the Designated Federal Officer (DFO) and new Area Supervisor.

In accordance with the provisions of Public Law 92-463, the meeting was open to the public, and it was also made available through a virtual USDA approved meeting tool. To view the recording of the meeting visit: <https://landbetweenthelakes.us/about/working-together/advisory-board/>

Board Members Present:

Walter Battle
Brian Clark
Nancy Dawson
Patrick Lemons - virtual
Abigale Smith
Johnny Wall
Susan “Ski” Witzofsky
De’Etra Young – virtual
John Zimmer
David Nickell
Mark Turner
Lori Anne Oakley

Board Staff Present:

Rick Lint, Chairperson
Jim McCoy, Designated Federal Officer
Christine Bombard, Administrative Liaison

Facilitator:

Marty Marchaterre, Facilitator

Forest Service Staff Present:

James “Jamey” Thweatt, Acting Deputy Area Supervisor
Jared Baker, Business Performance Staff Officer
John Westbrook, Environmental Stewardship Staff Officer
Jordan Crain, Acting Customer Service Staff Officer
Christopher “Chip” Littrell, Acting Public Affairs Staff Officer
Emily Cleaver, Visitor Information Specialist
Shane Brady, Partnership Coordinator
Christopher “Chris” Thornock, Heritage Program Manager

Others Present for all or a Portion of the Meeting:

Donnie Holland
Sue Carrigan- Former Resident
Ray Carrigan, Former Resident
Cindy Ezell-Hinson
June Kay Flood Ezell, Former Resident
Vickey Lane
Teresa Chandler
James Oakley
Edward Marlowe, WKDZ/WHVO
J. Harper
Elaine Jackson, LBLA
Shara Parish, LBL User
Della Oliver, BTR
Libby Gerdes, Murray Ledger Times
Marsha McPherson, Former Resident
Matt Barnes, TDOT
Chris Harris, TDOT

Announcements and Items of Interest:

Jim was the wildlife biologist and fire management officer at LBL from 2003 – 2011. In 2011, he moved from Kentucky to Arkansas to serve as district ranger on the Sylamore-St. Francis Ranger District then was the deputy forest supervisor in Mississippi for nine months. Prior to returning to LBL, Jim was the acting chief of staff for Ken Arney, Regional Forester, Southern Region in Atlanta.

The new appointees were welcomed, they are as follows:

David Nickell, Lyon County, Kentucky, Judge Executive Appointee
Lori Anne Oakley, Trigg County, Kentucky, Judge Executive Appointee
Mark Turner, Trigg County, Kentucky, Judge Executive Appointee

Annual Forest Management/Harvest Plan: Update on Timber Salvage Sales, Reconditioning and Healthy Forests Restoration Act (HFRA) Designation by Jim McCoy, Area Supervisor and John Westbrook, Environmental Stewardship Staff Officer (Presentation: [Environmental Stewardship Presentation Advisory Board Meeting 2023 11 08.pdf](#)).

Jim began by providing background information on how the HFRA designation came about.

Tornadoes passed through the area in December 2021, areas on the north and south ends were affected. We requested an emergency designation for 6,500 acres for the heavily impacted zone. The authorization we received was for 86,000 acres not the 6,500 that was sought. At this point, the salvage operations are in the final stages. We do not intend to use the authority and we are requesting to have it repealed.

Johnny Wall requested to go on record that he is not in favor of the 86,000-acre authorization. Patrick Lemons requested to go on record that he is in favor of the authorization and went on to say that timber harvesting is the most valuable tool you have at LBL. Jim responded we will continue to manage the natural resources and timber harvest will be a tool that we use, but we do not have the social license for the 86,000-acre authorization.

A Board member stated they have concerns about the green uninjured trees that have been cut and further expressed pleasure with the lack of public involvement. He went on to say that proper National Environmental Policy Act (NEPA) processes were bypassed, and he has filed several Freedom of Information Act (FOIA) requests. He wants more transparency and requests a field visit.

Jim explained that following the tornadoes our intent was to make the affected areas safe and usable.

Another Board member commented the Forest Service has started projects here over the years which have yet to be completed, most notably the Oak Grasslands (8600) project. Jim took ownership of that project and went on to say that there is no such thing as a perfect management resource decision. We try to make the best decision based on the information we have on hand at the time.

The question was asked how much money has been generated as a result of the sales. Jim responded approximately \$4 million dollars.

Jim shared that we have flexibilities here that other forests do not have. We can fund recreation and environmental education. A portion of timber sale receipts (i.e., 10 percent) can be dedicated to environmental education. An Area Improvement Plan is a guiding document that my staff has been tasked with developing. It will tell us down to the penny and outyear exactly where the funds are going and what they are designated to do. The National Forest Management Act requires that we do our due diligence to ensure forest regeneration after timber activities.

Future Planning and Natural Resource Projects for Fiscal Year 2024-2029 by John Westbrook, Environmental Stewardship Staff Officer and Jim McCoy, Area Supervisor.

Jim shared that our goal is to position ourselves and get to the point, so we do not need things such as emergency authorities and we have a plan in place. The plan would allow us to respond and to implement the Land and Resource Management Plan (LRMP). Having a 5-year strategic plan is ideal so we know what we are going to do and where we are going to do it.

One of the projects we are looking at is the Devil's Backbone Nature Area west of Dover and adjacent to Fort Henry. It is the farthest north population short leaf pine. The proposal is for 1,000 acres and includes some thinning utilizing mechanical and fire components. The intent is to enhance the pine tree stand and give it a decent chance of being a healthy ecosystem. The Nature Conservancy out of Tennessee is in full support of this.

A Board member commented that you gave us back 86,000 acres, so I can live with giving you 1,000 acres.

John explained we have NEPA on the project, but it is a few years old, so a supplemental review (administrative process not a public involvement process) needs to be done. We recognize things have changed, and we want to be sure we have all of the available information so we can say with a certain degree of confidence that we have done our due diligence to make a good decision.

We are also looking at a secondary project with the same impact zone (Fort Henry Turnpike). A Board member expressed concern about the historical significance of this area. John responded we work with and will continue to work with our heritage staff and the State Historic Preservation Office (SHPO) to ensure we are compliance prior to any land disturbing activities taking place.

Another Board member stated that hiking trails are being negatively impacted by salvage sale operations and that will likely continue with proposed future activities and went on to say that is not prioritizing recreation. John said we do our best to mitigate impacts and they are usually temporary in nature. The logging contracts have a clause regarding rehabilitation upon completion of the operation.

A Board member commented that LBL is a National Recreation Area and as such the emphasis should be on recreation and education. Formal education, specifically the environmental program at LBL has been gone from here for a long time. They went on to say the Homeplace is not accurately portraying the area as it was in the 1850s. Another Board member said during that time period slavery was still going on. If you are going to tell the story then you need to tell the whole story.

The comment was made by another Board member that she has taken many school groups to the various facilities and the Homeplace is more about history than environmental education. Jim asked the Board if environmental education has to happen in an environmental education facility or can it happen elsewhere? Something to consider for future discussions.

In response to Board members comments and questions, Rick referenced the following section of the Protection Act:

- (1) The Secretary shall manage the Recreation Area for multiple use as a unit of the National Forest System.
- (2) The emphases in the management of the Recreation Area shall be
 - (A) to provide public recreational opportunities.
 - (B) to conserve fish and wildlife and their habitat; and
 - (C) to provide for diversity of native and desirable non-native plants, animals, opportunities for hunting and fishing, and environmental education.

Jim expressed appreciation for everyone's thoughts regarding environmental education and recreation then asked the Board to revisit the discussion on natural resource management. We need to gather some ideas and perspectives on developing a 5-year management strategy.

Jim shared that he does not know if he has the data needed to move forward with a 5-year strategy at this point. The data we have currently is not precise enough to write land management prescriptions. It will likely take at least a year for the data collection, but we may

have other projects between now and then. A Board member thanked Jim for being transparent and further said they do not feel prepared at this time to decide on a 5-year plan.

Rick stated that we should be talking about 3-5 years out as this helps with continuity of projects. We need adequate time to discuss the concerns and opportunities of each proposed project.

Board members requested information be shared early and often. They said data and visuals (i.e., maps, schematics, aerial photographs, drone footage) would be helpful. Also, providing information prior to meetings is preferable to allow ample time for review and consideration.

WORKING LUNCH:

Chris Thornock, Archaeologist, Heritage Program Manager and Tribal Liaison gave a presentation on Native American Heritage at LBL.

Recreation Enhancement Act/Promoting Public Participation for Fee Structure by Jamey Thweatt, Acting Deputy Area Supervisor. (Presentation: [Recreation Enhancement Act \(REA\) Briefing Advisory Board Meeting 2023 11 08.pdf](#)).

Jamey started with explaining the change regarding fees as a result of the new legislation.

The Land Between the Lakes Recreation and Heritage Act of 2022 states that Land Between the Lakes amended H.R.2617-1124 d) Fees by striking "may charge reasonable fees" and inserting "shall charge reasonable fees, in consultation with the Advisory Board and consistent with the Federal Lands Recreation Enhancement Act (REA) (16 U.S.C. 6801 et seq.).

A "crosswalk" was conducted to examine fees and amenities at each site, facility, and site type. It was determined that LBL is out of compliance at two environmental education facilities, the Woodlands Nature Station and Homeplace 1850s. These are Forest Service facilities with a permanent facility manager who is a full-time Forest Service employee but is staffed and operated by the Land Between the Lakes Association (LBLA), partner and Friends Group. The Forest Service reimburses LBLA through an agreement for gift shop clerks and interpreters. Funding for all operations such as facility maintenance and cleaning, utilities, and animal care are all funded by the Forest Service.

6802 – Fee Authority under REA states:

The Secretary shall not charge an entrance fee or standard amenity recreation fee for the following: (A) Any person under 16 years of age.

Our current and past fee structure dates back to the facilities opening and is set up to charge an entrance fee for all visitors. This is for operation and cost recovery of those facilities.

Approximately 31% of all visitations to these facilities combined are younger than 16 years of age. Current cost recovery for the Woodlands Nature Station is 46% and Homeplace 1850s is 36% at the current fee structure.

Environmental Education Programming/Visitation by Jamey Thweatt, Acting Deputy Area Supervisor and Jared Baker, Business Performance Staff Officer.

Jared explained that we look at costs, but we also look at visitation. School group numbers are down, other facilities are helping to offset the deficit. We need the Board's advice on how to increase visitation. Raising ticket prices is an option, however we want to consider all the alternatives. The question was asked when the last fee increase was. The last fee increase was in 2018 or 2019.

The following is a consolidated list of ways to increase visitation/revenue based on Board member recommendations:

- Percentage of timber sale revenues
- New interpretive programs – incorporate African American and Native American history.
- Slight increase to the cost of adult tickets
- Charge for special days/events
- Offer family packages.
- Voluntary youth memberships (offer coupons, discounts, special programming)
- Sponsorships
- Shared Stewardship agreements
- Concession permits.
- Add other activities that can be charged for
- Charge for guided tour instead of entrance fee
- Charge for interpretive plan
- Coupon for Ancestry.com with purchase of adult ticket
- Offer packages that include side trips (Fort Donelson, Cherokee Park, etc.)
- Sell stamps/stickers like the National Parks
- Create a patch for Boy Scouts/Girl Scouts
- Outreach to local marinas
- Offer cultural education package.
- Sasquatch/Bigfoot is trending right now.
- Charge a fee to leave.

A Board member stated that one of the promises made at the time of the transfer was that LBL would be forever free to the public.

Jamey closed the agenda topic with committing that the Nature Stature would return to taking animals to the campgrounds in an effort to increase outreach efforts.

Ongoing and Future Projects: All Funding Sources by Jordan Crain, Acting Customer Service Department Manager (Presentation: [Ongoing and Potential Future Projects Presentation Advisory Board Mtg. 2023 11 08.pdf](#)). Note: the presentation contains project examples, it is not all-inclusive, and the dollar amounts listed are estimates.

Jordan explained the various LBL funding sources.

- Appropriated Dollars: funding provided by Congress to the Forest Service Regional Office for operations (roads, facilities, trails, recreation/heritage).
- Revenue Dollars: funding collected by the unit (camping, admissions, forest product receipts, hunt fees).
- Project Funds: requested from off-unit sources for designated projects.
- Grant Funds: provided through a grant or agreement.
- LBL Trust Fund: used for regional promotion and environmental education.

A Board member expressed concern about Jones Creek and Davenport Creek bridges being closed. Jordan explained that they were closed due the Kentucky bridge inspector deeming them unsafe. Currently, we do not have the funds to replace them. The question was asked about what is involved to permanently closing a bridge, Jordan responded there would be a public involvement process.

The Jones Creek bridge was tentatively approved for replacement in fiscal year 2025 through the National Asset Management Program (NAMP). It may be late 2025 or early 2026 before the bridge replacement is complete. The Davenport Creek bridge proposal was not approved, but Jordan assured that we will continue to seek out future funding opportunities.

Another potential future project is a driving route to the Golden Pond Overlook. We have had some conceptual conversations with the Trigg County Judge Executive and would be happy to entertain some kind of partnership agreement with the county.

Public Forum: Members of the Public

Statement by Tennessee Department of Transportation (TDOT) and Kentucky Transportation Cabinet (KYTC) (Request: [Forest Highways Annual Maintenance Funding Request 2023 11 08.pdf](#)).

Matt Barnes (TDOT), Chris Harris (TDOT) and Kyle Poat (KYTC) were in attendance to make the request.

TDOT and KYTC requested the Advisory Board’s support for an appropriation of federal funds through the United States Department of Agriculture, Forest Service, Southern Region, Land Between the Lakes National Recreation Area (LBL) and the Federal Highway Administration, Eastern Federal Lands Highway Division. The funds would provide reimbursement to TDOT and KYTC for eligible maintenance activities on designated forest highways within LBL.

Rick Lint referred to a provision in the Protection Act that can help convene along with the Federal Highway Administration.

NEXT STEPS

Jim took a moment to share an exciting effort that has not been mentioned yet. We have been working with the American Chestnut Foundation on a project to restore the American Chestnut. They have seedlings that are viable and approved for planting. We will soon be meeting with them to visit a proposed orchard site.

Several Board members indicated that a two-day meeting to include a field visit would be beneficial. The next meeting will be held on March 26 and 27, 2024.

ADJOURNMENT

The meeting adjourned at 4:00 P.M.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

A handwritten signature in blue ink, reading "John Richard Lint", is written over a horizontal line.

John Richard "Rick" Lint
Chairperson

These minutes will be formally considered by the Board at its next meeting, and any corrections or notations will be incorporated in the minutes of that meeting.