

Sunset Public Hearing Questions for
GREAT SMOKY MOUNTAINS PARK COMMISSION
Created by Section 11-19-101, *Tennessee Code Annotated*
(Sunset Termination June 2016)

1. Provide a brief introduction to the Great Smoky Mountain Parks Commission, including information about its purpose, statutory duties, staff and administrative attachment.

The Great Smoky Mountains Park Commission was created by the General Assembly in 1974 to “devote its attention to the problems of that portion of the Great Smoky Mountains National Park which lies within the state of Tennessee.” T.C.A. §11-19-101. Its charges include:

- Conferring with the National Park Service regarding policies observed in the Great Smoky Mountains National Park (GSMNP)
- Providing information to Congress regarding needs of the Park, including financial appropriations
- Cooperating with similar commissions in states adjacent to GSMNP
- Taking action to preserve the natural beauty and scenery of GSMNP

The Commission is an independent body attached to the Tennessee Department of Environment and Conservation (TDEC) for administrative purposes, and TDEC provides administrative support to the Commission. The law specifies that the Commission is to meet at least every six months.

2. Provide a list of commission members and describe how membership complies with Section 11-19-102, *Tennessee Code Annotated*. Please indicate if there are any vacancies and explain what is being done to fill those vacancies.

The Commission consists of five members appointed by the Governor as well as commissioners of the Department of Tourist Development and Department of Environment and Conservation who are ex officio members. The members serve staggered five-year terms, and there are no special requirements for appointment. The current membership includes:

Mr. Bill Clabough, Maryville, Chairman
Mr. Warren Gooch, Oak Ridge, Vice-Chairman
Ms. Sherry Chobanian, Knoxville
Mr. Daniel Lawson, Maryville
Ms. Jettie B. Clabo, Sevierville
Commissioner Kevin Triplett, Department of Tourist Development (ex officio)
Commissioner Robert Martineau, Department of Environment and Conservation (ex officio)

There are no vacancies on the Commission.

3. Does the commission's membership include public/citizen members? Female members? Members of racial minorities? Members who are 60 years of age or older?

There are four members who are sixty years of age or older, and there are two female members.

4. How many times did the commission meet in fiscal years 2013 and 2014 and to date in fiscal year 2015? How many members were present at each meeting?

The Commission met two times during fiscal years 2013 and 2014. During the 2013 and 2014 meetings, all members were present. To date, the Commission has met once during fiscal year 2015. Three members were present at the last meeting on April 23, 2015.

5. What per diem or travel reimbursement do commission members receive? How much was paid to commission members during fiscal years 2013, 2014 and to date on fiscal year 2015?

Members receive no compensation for their services. The Commission does not receive state appropriations and does not have a budget. Members are entitled to reimbursement for necessary travel expenses; however, no expenses were submitted or reimbursed in fiscal years 2013 and 2014. The Commission members have contributed their time and services for the good of the park at no cost to the state.

6. What were the commission's revenues (by source) and expenditures (by object) for fiscal years 2013 and 2014 and to date for fiscal year 2015?

The Commission does not receive any revenues.

7. Is the commission subject to Sunshine law requirements (per Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the commission have for informing the public of its meetings and making its minutes available to the public?

Yes. Information on future meetings and meeting minutes are made available to the public on the Commission's webpage, http://www.tn.gov/environment/board_smoky-mountains-park.shtml.

8. How does the commission ensure that its members are operating in an impartial manner and that there are no conflicts of interest? If the commission operates under a formal conflict of interest policy, please attach a copy of that policy.

Not applicable because the Commission does not have staff or employees, and it does not hear contested cases or promulgate rules.

9. Does the commission submit an annual report of its activities to the Governor and the General Assembly within fifteen days after convening of each regular

legislative session as required in Section 11-19-104, *Tennessee Code Annotated*? What other reports does the commission prepare concerning its activities, operations and accomplishments? Who receives copies of these reports? Please attach copies of any reports issued during fiscal years 2013 and 2014 and to date in fiscal year 2015.

No annual reports were submitted for the fiscal years 2013 and 2014. The annual report was submitted on February 3, 2015 and is attached as **Attachment A**. The Commission and Ex-officio members submit information to the Governor and General Assembly related to the Commission and Great Smoky Mountains National Park. Minutes are prepared after each Commission meeting and submitted to members.

10. Does the commission have the authority to promulgate rules? If not, is rule-making authority needed? If rules have been promulgated, please cite the reference.

The Commission does not have authority to promulgate rules and does not currently seek such authority.

11. Does the commission have a website? If so, please provide the web address. What kind of public information is provided on the website?

Yes, the webpage provides information on the Commission's meetings, purpose, and membership. The web address is http://www.tn.gov/environment/board_smoky-mountains-park.shtml.

12. What were the commission's major accomplishments during fiscal years 2013, 2014 and to date in fiscal year 2015? Specifically, describe the nature and extent of commission activities as defined in Section 11-19-103, *Tennessee Code Annotated*.

The Commission is comprised of persons who reside in the immediate vicinity of the Great Smoky Mountains, who represent a variety of perspectives on the issues involving the park, and who are familiar with and understand these issues. The Commission also stays abreast of park issues and activities through regular briefings from park staff, TDEC and Tourist Development staff and the many local advocacy organizations whose mission and purpose is protecting and promoting the park. The Tennessee Commission and its sister agency, the North Carolina National Park, Parkway, and Forests Development Council, hold an annual joint meeting to discuss issues affecting both the states of Tennessee and North Carolina and to support each other's activities.

The Commission acts by formal resolution and communication with state and national leaders (e.g., Congressional delegation, National Park Service officials) as park issues and needs are identified. The Commission also is concerned with air quality issues in the park and periodically receives status updates regarding state and federal actions that can affect air quality.

13. Has the commission developed and implemented quantitative performance measures for ensuring it is meeting its goals? (Please answer either yes or no). If the commission has developed and implemented quantitative performance measures, answer questions 14 through 21. If the commission has not developed quantitative performance measures, proceed directly to question 22.

No. The Commission has not developed and implemented quantitative performance measures for ensuring goals are met.

14. What are your key performance measures for ensuring the commission is meeting its goals? Describe so that someone unfamiliar with the program can understand what you are trying to measure and why it is important to the operation of your program.

Not applicable.

15. What aspect[s] of the program are you measuring?

Not applicable.

16. Who collects relevant data and how is this data collected (e.g., what types information systems and/or software programs are used) and how often is the data collected? List the specific resources (e.g., report, other document, database, customer survey) of the raw data used for the performance measure.

Not applicable.

17. How is the actual performance measure calculated? If a specific mathematical formula is used, provide it. If possible, provide the calculations and supporting documentation detailing your process for arriving at the actual performance measure.

Not applicable.

18. Is the reported performance measure result a real number or an estimate? If an estimate, explain why it is necessary to use an estimate. If an estimate, is the performance measure result recalculated, revised, and formally reported once the data for an actual calculation is available?

Not applicable.

19. Who reviews the performance measures and associated data/calculations? Describe any process to verify that the measure and calculations are appropriate and accurate.

Not applicable.

20. Are there written procedures related to collecting the data or calculating and reviewing/verifying the performance measure? Provide copies of any procedures.

Not applicable.

21. Describe any concerns about the commission's performance measures and any changes or improvements you think need to be made in the process.

Not applicable.

22. Provide an explanation of any items related to the commission that may require legislative attention, including your proposed legislative changes.

None at this time.

23. Should the commission be continued? To what extent and in what ways would the absence of the commission affect the public health, safety, or welfare of the citizens of the State of Tennessee?

The Great Smoky Mountains Park Commission fulfills a vital communication link between park officials, federal and state elected officials, and the community. The Commission is an unpaid volunteer body whose primary concern is the welfare of the Great Smoky Mountains National Park. No other state-level agency is charged with the responsibility to act on behalf of the state of Tennessee with regard to policies of the National Park Service and to take action to preserve the natural beauty and scenery of the Great Smoky Mountains National Park. The Commission continues to act as an advisor to the Park staff, liaison with the state of Tennessee, and park advocate with the federal government and the Tennessee Congressional delegation on matters affecting the needs of the park and the enhancement, protection and preservation of its vast natural and cultural resources. For example, the Commission has helped resolve issues of concurrent jurisdiction in the most problem areas along park boundaries, which allows the park staff to respond to emergencies as well as local authorities. Today, Tennessee has better working relationships and dialogue with all national parks in the state because of efforts spearheaded by the Tennessee Commission. The Tennessee Great Smoky Mountains Park Commission fulfills these roles at little or no expense to the state, and therefore its authorization should be extended.

24. Please list all commission programs or activities that receive federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.

The Commission does not receive any federal funds.

If the commission does receive federal assistance, please answer questions 25 through 32. If the commission does not receive federal assistance, proceed directly to question 31.

25. Does the commission prepare a Title VI plan? If yes, please provide a copy of the most recent plan.

TDEC has a Title VI Plan that is developed for and applicable to all TDEC programs.

26. Does the commission have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.

TDEC has a Title VI Coordinator and Complaint Officer.

Coordinator: Costin Shamble (615-253-8337) - Facilitate Title VI compliance activities; review data and make recommendations of actions to enhance Title VI compliance; conduct Title VI training programs; compile Department's Title VI Implementation Plan; represent TDEC at meetings on Title VI.

Complaint Officer: Hoda Guirguis (615-253-3400) - Receives Title VI complaints; conducts an investigation of complaints; facilitates a remedy of Title VI concerns; makes recommendation(s) of actions needed to resolve complaints.

27. To which state or federal agency (if any) does the commission report concerning Title VI? Please describe the information the commission submits to the state or federal government and/or provide a copy of the most recent report submitted.

TDEC is required to submit an annual Title VI Implementation Plan to the Tennessee Human Rights Commission. Additionally, the Plan is submitted to and reviewed by the Title VI Legislative Sub-Committee of the State Legislature. A public hearing is conducted annually on the Plan. Disadvantaged business participation is submitted to the Environmental Protection Agency.

28. Describe the commission's actions to ensure that association staff and clients/program participants understand the requirements of Title VI.

Internally within TDEC:

- Mandatory Civil Rights training of TDEC staff included Title VI
- TDEC Title VI brochure distributed to Department staff
- Periodic discussions with staff, Title VI related actions/activities
- Staff participation in training programs offered by state and federal agencies

External actions by TDEC:

- Participation in Community Title VI workshops and conferences
- Contract language includes Title VI compliance
- Posting of Civil Rights posters
- Distribution of Title VI brochure

29. Describe the commission's actions to ensure it is meeting Title VI requirements. Specifically, describe any commission monitoring or tracking activities related to Title VI, and how frequently these activities occur.

Minority participation in TDEC programs and activities is reviewed by the Title VI Coordinator. Activities reviewed include: representation on boards, disadvantaged business participation, and public participation. Meetings with the Commissioner's staff are held to discuss minority participation issues at least quarterly.

30. Please describe the commission's procedures for handling Title VI complaints. Has the commission received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).

The following steps should be taken to file a Title VI complaint:

- It should be written and include your name, address and telephone number. Your complaint must be signed and filed within 180 calendar days of the alleged discriminatory act. If you are filing on behalf of another person, include your name, address, telephone number and your relation to that person (for example: friend, attorney, parent, etc.).
- The name and address of the agency, institution or department you believe discriminated against you.
- How, why and when you believe you were discriminated against. As much background information as possible should be included about the alleged acts of discrimination. Include names of individuals who you allege discriminated against you, if you know them, as well as any other relevant information.
- The names of any persons, if known, that the investigating agency could contact for additional information to support or clarify your allegations.
- All complaints must be signed by the complainant.

31. Please provide a breakdown of current commission staff by title, ethnicity, and gender.

Not applicable because the Commission does not have staff or employees.

32. Please list all commission contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.

Not applicable because the Commission does not have contracts or hire contractors.

ATTACHMENT A



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

ROBERT J. MARTINEAU, JR.
COMMISSIONER

BILL HASLAM
GOVERNOR

MEMORANDUM

TO: Governor Bill Haslam
Governor of the State of Tennessee

Lieutenant Governor Ron Ramsey
Speaker of the Senate

Speaker Beth Harwell
Speaker of the House of Representatives

FROM: Robert J. Martineau, Jr.
Commissioner

A handwritten signature in blue ink, appearing to read "RJM".

DATE: February 3, 2015

SUBJECT: Annual Report on Activities of the Great Smoky Mountains Park Commission

Tennessee Code Annotated § 11-9-104 requires the Great Smoky Mountains Park Commission prepare an annual report of its activities. The report is to be submitted to the Governor and Tennessee General Assembly.

Attached is your copy of this year's report that covers calendar year 2014.

**2014 Great Smoky Mountains National Park
Joint Annual Meeting Report
TN Park Commission and WNC Public Lands Council
By: Cindy MacLeod, Acting Superintendent**

Park Welcomes Acting Superintendent Cindy MacLeod



Cindy MacLeod is temporarily filling the role as Superintendent on a detail assignment that began June 1. Cindy is the Superintendent of Independence National Historical Park in Philadelphia. Cindy began her career with the National Park Service in Michigan in 1980 as an architectural historian. She worked in the NPS regional offices in Omaha, Neb., and in Philadelphia. She served on international assignments in Poland and France. Prior to joining Independence National Historical Park, she was superintendent of Richmond

National Battlefield Park and Maggie L. Walker National Historic Site in Virginia.

Cindy has a master's degree in architectural history from the University of Virginia and a bachelor's degree from Duke University, where she majored in both zoology and comparative literature. She completed Harvard University's Senior Managers in Government Program and the Senior Executive Service training program.



In addition, Smokies Chief Ranger Clay Jordan is temporarily filling the role as Deputy Superintendent through October.

Passing of Park Deputy Superintendent

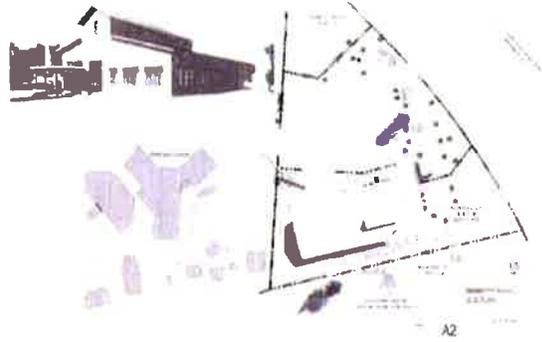


Deputy Superintendent Patty Wissinger, age 55, passed away June 20, 2014 of cancer. Wissinger had been selected as the Smokies Deputy Superintendent last August. She is greatly missed both at the Smokies and throughout the National Park Service family. Patty began her National Park Service career in 1980 as a seasonal campground ranger on the Blue Ridge Parkway. Before coming to the Smokies, she was the Superintendent of Chattahoochee River National Recreation Area. She also served at the Blue Ridge Parkway, Shenandoah National Park, Cape Hatteras National Seashore, Wright Brothers National

Memorial, Vicksburg National Military Park, and Fort Raleigh National Historic Site.

Patty looked forward to serving at the Smokies at the peak of her 33-year career. She shared her delight last August by saying "I feel like the most blessed person in the National Park Service right now. This park is unsurpassed by its natural beauty, diversity of resources, and cultural heritage. In my opinion, it is absolutely the most beautiful place on earth. I am so proud to join the committed cadre of citizens who together will protect this incredibly special place as we also connect it to a new generation of Americans to preserve and enjoy."

Collections Preservation Center



The park hopes to break ground by September 2014 on the Collections Preservation Center! The new center has been made possible in large part to our partners, Friends of the Smokies and Great Smoky Mountains Association, who contributed nearly half of the funds needed for the approximately \$ 4.3 million facility. The 13,225 square-foot facility will be located on a 1.6 acre parcel of land adjacent to the Great Smoky Mountains Heritage Center in Townsend. The center will provide optimal conditions for 144,000 artifacts, 220,000 archival records, and about 275 lineal feet of library materials documenting the history of Great Smoky Mountains National Park and four other NPS areas in East Tennessee including Andrew Johnson National Historic Site, Big South Fork National River and Recreation Area, Cumberland Gap National Historical Park, and Obed Wild and Scenic River.

Consolidating the collections of all the NPS areas with the Smokies' materials will both ensure the protection for the heirlooms entrusted to the National Park Service and also allow for a single Museum Curator to oversee all the collections. Having artifacts more accessible will also allow more opportunities to share items with approved public museums for temporary display.

Swain County Heritage Museum and Visitor Center



Park exhibits are set to go into a new visitor center and heritage museum in downtown Bryson City this fall. Great Smoky Mountains Association, the Bryson City Chamber of Commerce, and the National Park Service are partnering in the opening of this new facility which will include a park bookstore.

Park Proposes Firewood Changes



We are proposing changes that will help protect park forests by further limiting the type of firewood brought into the park. Non-native, tree-killing insects and diseases can unknowingly be introduced into the park through firewood transported from infested areas. New infestations threaten our forests with widespread tree mortality that could devastate wildlife habitat, park biodiversity, and scenic views.

The park is proposing to reduce this threat by changing park regulations to allow only heat-treated wood to be brought into the park for campground fires. If the proposal is adopted, beginning in **March 2015**, it would ban the importation of firewood that is not bundled and certified by the USDA or a state agency. Heat-treated wood will be available to purchase from concessioners in many of the campgrounds as well as from private businesses in the communities around the park. In addition, visitors may still collect dead and down wood in the park for campfires.

Numerous stakeholders representing federal and state agencies, conservation organizations, and universities are joining together to develop a national strategy to mitigate the risks associated with movement of firewood, including a public education campaign. National parks throughout the Appalachian region have taken action to limit the spread of insect pests in firewood including, in many cases, the banning of imported firewood. For the past three years, the Smokies has prohibited the importation of firewood from areas quarantined by the USDA Animal Plant Health Inspection Service (APHIS). Current park regulations prohibit the importation of wood and wood products from states (or specific counties in states) quarantined for insects such as emerald ash borer or tree diseases such as thousand canker disease.

A final decision on adopting the new regulation is expected by the end of the year. Public comments are being accepted by mail, email, and at visitor centers and campgrounds.

Unmanned Aircraft Policy

The park updated the Superintendent's Compendium in June to clarify the prohibition of drone use in the park. The park provides a variety of ways to enjoy and experience the park that appropriately protect the visitor experience, protect park resources, and help ensure visitor safety. We have not authorized unmanned aircraft in the Smokies because as they detract from the experience people expect to have in both the natural and historic landscapes in the park such as Cades Cove, along trails in the backcountry, in campgrounds and picnic areas, and iconic vistas such as Clingmans Dome. We also want to ensure the protection of wildlife which have been harassed in other parks by unmanned aircraft.

The park already had regulations that prohibited launching, landing, or operating aircraft from park lands and waters. Park managers previously interpreted this to include unmanned aircraft in the Smokies. We have now provided clarification and amended our compendium to more clearly define aircraft to include unmanned units.

Park Receives Grant to Restore Ravensford Wetland for Wildlife and Education from the National Park Foundation Grant



The three acre Ravensford wetland is located within Great Smoky Mountains National Park adjoining the Blue Ridge Parkway and Cherokee Central Schools. The wetland is habitat for a variety of wildlife including bear, bobcat, fox, birds, amphibians and fish as well as diverse native vegetation, but is severely impacted by invasive exotics such as privet, Japanese honeysuckle and multiflora rose. The park received a \$25,000 National Park Foundation grant to fund seasonal employees for exotic plant removal, seed collection, propagation and planting of native species along with educational outreach. Youth have been assisting park staff this summer from the Cherokee Central School summer culture camp along with the Oconaluftee Job Corps Civilian Conservation Center. Staff plan to develop more educational and service opportunities as the restoration continues.

Strengthening Cherokee Middle School

The Park received a \$52,500 from the Cherokee Preservation Foundation in 2014 to support a project that will integrate Cherokee culture into both new and existing park education programs with expanded offerings focused on Cherokee Middle School. A new park staff liaison position with Cherokee Middle School will develop relevant curriculum units, conduct in-park and in-classroom programs, and provide teacher professional development. The enhanced curriculum will be utilized by park staff to reach both tribal and non-tribal students regionally.

This program will be successful in creating a foundation from which the Cherokee Schools and GSMNP can continue with moving forward with the existing environmental education programming. Curriculum units developed during the first year will be available to incorporate into programs for other schools served by GSMNP in the region (approximately 15,000 – 17,000 students per year).

Park Receives \$7,000 Ticket-to-Ride Grant

Resource Education staff received a grant to provide funds to local school systems for bus transportation so that students could travel to the park for hands-on learning experiences. Curriculum based field trips teach students about the natural and cultural resources of the park, a park that belongs to them, and a park that so many of them have never stepped foot on until the field trip. Several school systems that surround the park have never made a visit to the park. Most of these schools are Title I with 100% of students on free/reduced lunch. These schools generally are financially unable to make a field trip to the park. We are excited to be able to offer this opportunity.