

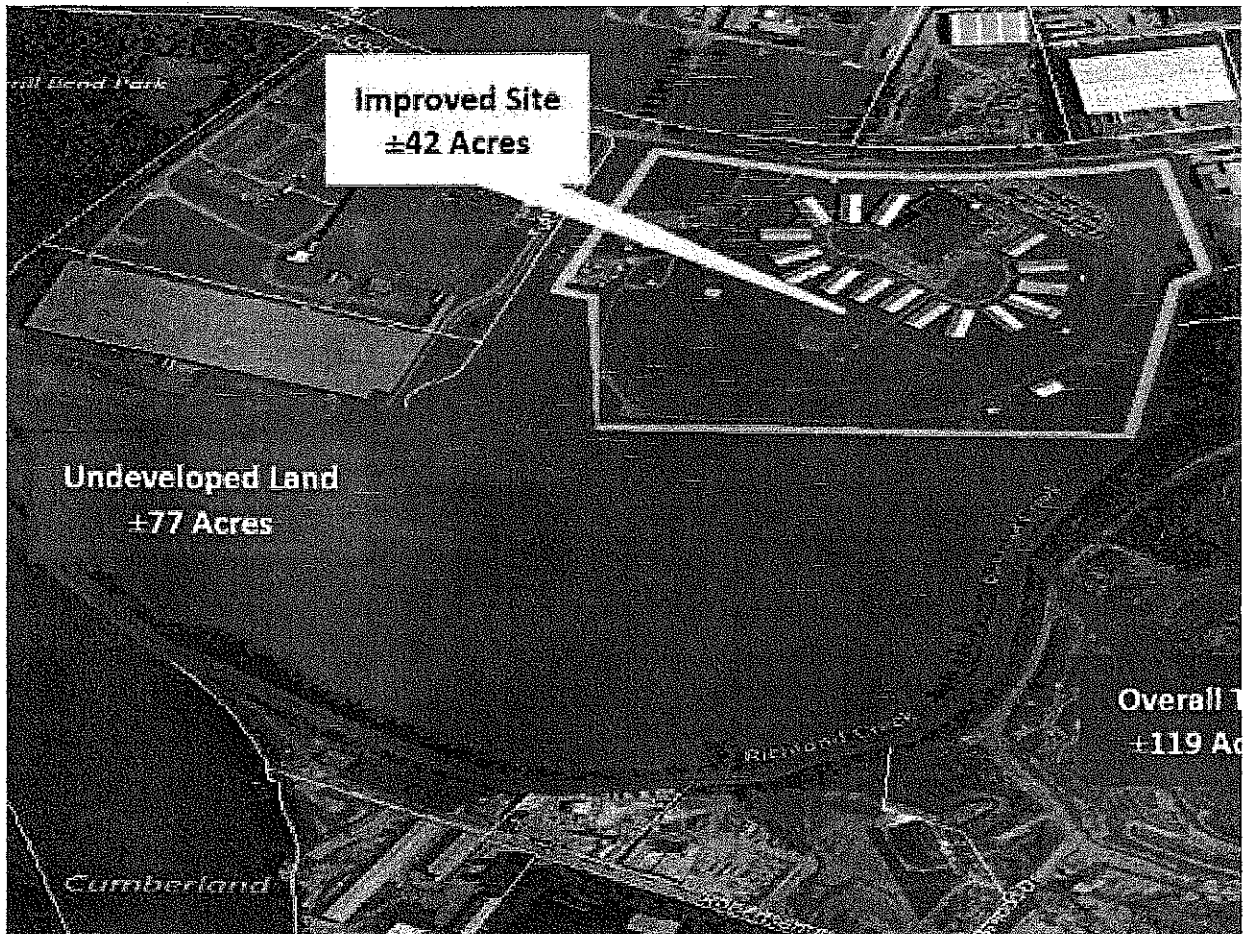


December 2, 2016

Robert Oglesby, Commissioner
State of Tennessee, Dept. of General Services
Tennessee Tower, 22nd Floor
312 Rosa L. Parks Ave.
Nashville, TN 37243

Dear Commissioner,

We write to you about the proposed and planned sale of the Charles Bass Correctional Complex property located on Cockrill Bend in House District 54 (the "Property").



We would respectfully request that the State not relinquish the Property via sale for various reasons. However, if the State must relinquish the Property, we would request that the sale be limited to only that 42-acre portion that is already developed, leaving the remaining 77 acres protected and preserved as a floodplain and habitat and perhaps used as a state recreational area. Limiting the sale in

this responsible manner would result in economic, environmental and recreational benefits, and it will also be in the interest of historical preservation.

ECONOMIC BENEFITS

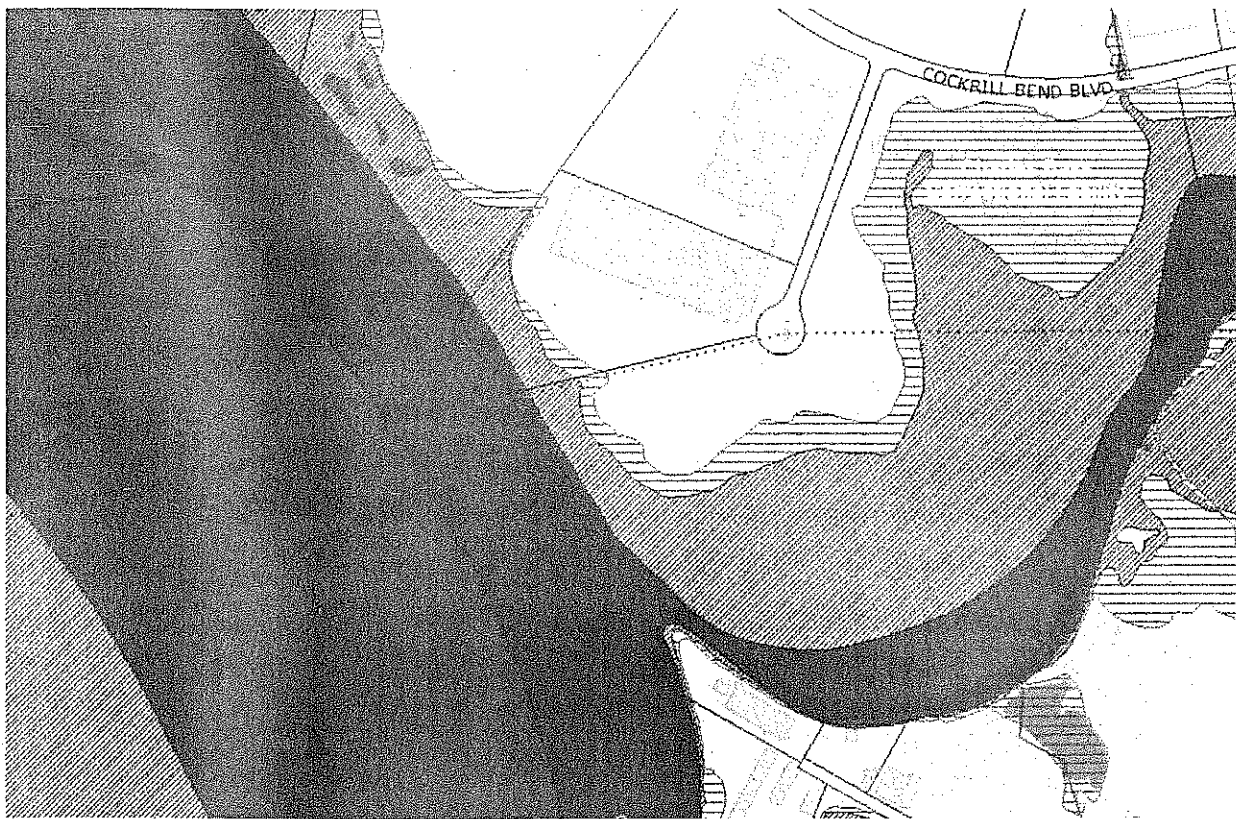
During the 2010 flood, the Property was inundated with floodwaters. The aerial photograph shown below from May 2010 evidences the Property, nearby quarry and surrounding area covered by floodwaters.



Preserving 100-year floodplains would help Davidson County residents obtain an improved rating for providing flood insurance discounts under the National Flood Insurance Program (“NFIP”). Currently Davidson County has a Class 8 rating with FEMA’s Community Rating System (“CRS”), the next to worst possible rating. Class rating reflects how well (or poorly) a community manages floodplains and flood risks. The CRS uses a Class rating system, similar to fire insurance ratings to determine premiums rates. CRS Class rating range from 9 to 1, with lower ratings providing higher discounts for purchasing flood insurance. A Class 1 rating provides a 45 percent discount to community residents participating in the NFIP, whereas a Class 9 rating provides a 5 percent discount to purchasers. As a community engages in additional mitigation activities, such as preserving 100-year floodplains, its residents become eligible for increased NFIP policy premium discounts. Each CRS Class improvement produces a 5% greater discount on flood insurance premiums for properties in the Special Flood Hazard Areas (SFHAs). The current Class 8 rating causes Davidson County residents in Special Flood Hazard Areas (SFHAs) to pay the second highest rate possible in flood insurance premiums. We, in state government, must do our part to ensure that Tennessee residents’ premiums are kept as low as possible.

Repeated flooding and failure to mitigate has severe economic impacts, both locally and nationally. Draft FEMA flood maps for Davidson County are now in the public review phase. According to Metro, approximately 4,500 people were recently advised that they are now in a flood zone and strongly encouraged to purchase flood insurance. Flooding is the most common and costly natural disaster we see in America, and the overall economic loss from flooding is a serious problem. The NFIP currently owes \$23 billion in debt to the U.S. Treasury, consequently reducing the NFIP's borrowing authority. Beginning in 2017, flood insurance rates are required to reflect actual risk, because the growing national debt from NFIP flood insurance claims has been deemed fiscally unsustainable. According to Metro Codes and Planning, Nashville's 2010 flood resulted in an estimated \$2 billion in damages to private property. The Greater Nashville Chamber of Commerce reported that 2,773 businesses were impacted by the 2010 flood, affecting 14,400 workers. Of course, public facilities were also directly affected, experiencing extensive damage and incurring tremendous costs in relation to the flood event.

The image below is the currently approved flood overlay for the Property at issue. Most of the Property is floodway or 100-year floodplain, and the developed area lies within the 500-year floodplain.



The 2010 flood caused direct and permanent harm to Richland Creek in the areas adjacent to the Property as well. When floodwaters of the Cumberland and Richland Creek came together, it destroyed the left bank of Richland Creek's limestone channel and released large quantities of sewage into the

already toxic and dangerous floodwaters. Restoration of the quarry operations in this area absorbed hundreds of feet of stream channel and a large portion of its floodplain located on TDOT property. Preserving the remaining floodplain on the Property is critical to helping mitigate that flood storage loss.

Repeatedly Flooded Properties (“RFPs”) cost the NFIP more than \$12.5 billion (roughly half of the program’s \$23 billion debt), and they only account for 1% of all properties within the NFIP. Proactively reducing flood risk by preserving 100-year floodplains is cost effective and can assist a community in breaking a costly and dangerous cycle of repeated flooding and rebuilding.

ENVIRONMENTAL BENEFITS

Continuing to alter and develop 100-year floodplains has unsustainable environmental impacts to our freshwaters, like Richland Creek and the Cumberland River in this case. The spongy characteristic of a natural floodplain not only mitigates flooding, but it also prevents pollutants from entering waterways. If the Property’s floodplain were reforested, the positive impact to the environment would grow also, with more pollutants filtered, more stormwater mitigated, and wildlife habitat improved. Richland Creek has endured environmental impacts for many decades, and it is designated as an “impaired” stream. Yet, Richland Creek still supports a complete food web that deserves our protection. Fish species travel up Richland Creek from the river to spawn. Many other kinds of wildlife also migrate back and forth from Richland Creek to the Cumberland River. Upper reaches of Richland Creek depend on migration and the mouth of the stream’s delta habitat. Preserving this area is critical to the health of the entire stream, and to the Cumberland River as well.

RECREATIONAL BENEFITS

Protecting the undeveloped 77 acres of the Property could provide residents and visitors with a special recreational space in an area that is booming and boasts many local businesses and even a world-class, innovative contemporary arts venue. Visitors to this uniquely positioned area in close proximity to the Cumberland River and Richland Creek, could enjoy access to both of these waterways and activities such as fishing, wildlife watching, photography. Providing access for kayaking or canoeing to float down the river or creek could be possible through the State’s responsible conservation of this publicly owned land. Nashville is a primary tourist destination and revenue generator within our state. Visitors who come to enjoy its music and nightlife would also be drawn to the area’s natural beauty and recreational opportunities. Creating new recreational options, especially in an area as uniquely positioned as the Property, is economically beneficial to our city and our state.

HISTORIC PRESERVATION

Richland Creek is historic, as it was aptly named by Nashville’s founding father, General James Robertson, for its fertile soil, abundant wildlife and valuable freshwaters. Richland Creek was once deemed the “western edge of civilization” during the period of westward expansion. Historic signs along

Richland Creek stream banks mark General Robertson's original driveway and residence, as well as Civil War sites associated with skirmishes during the Battle of Nashville.

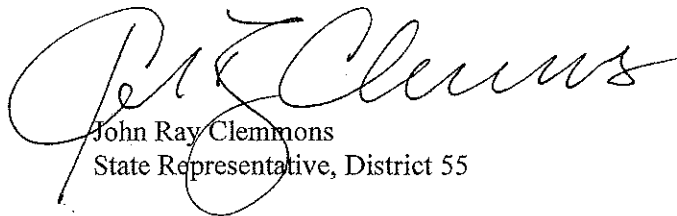
Preserving this 100-year floodplain is a win-win proposition—it will help keep Tennessee waters clean, contribute to flood insurance rate discounts, create a public recreational area, and preserve history and wildlife habitat. Preemptive efforts and proper planning before the next flood will serve to protect people and property. Residents of the watershed enjoy a special bond with the waterway and its wildlife. As you know, once we lose a public property such as the one at issue, it is gone forever. We forego its many benefits and any need we may have for it in the future. The Property has been publicly owned for 102 years, and it is our hope that it, or a significant portion thereof, remains public for everyone's benefit.

For the many reasons set forth above, we respectfully ask that you please consider this request as our sincere effort to: strengthen our local economy; protect and preserve our natural environment; create new recreational opportunities; and, preserve our city and state's rich history.

Sincerely,



Brenda Gilmore
State Representative, District 54



John Ray Clemmons
State Representative, District 55

Cc: Richland Creek Watershed Alliance
Sen. Thelma Harper
Hon. Megan Barry
Hon. Bob Mendes
Hon. Mary Carolyn Roberts
Mr. John Hull
Ms. Kelly Smith