

Doe Valley Campground, LLC

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Office of Outdoor Recreation

Tennessee Department of Environment and Conservation

500 James Robertson Parkway, Davy Crockett Tower, 5th Floor

Nashville, TN 37243

Email: Outdoor.Recreation@tn.gov

Email: David.Salyers@tn.gov

Cc: David W. Salyers, P.E., P.G., Commissioner, Tennessee Department of Environment and Conservation

Re: Objection to Land and Water Conservation Fund Reimbursement — Doe Mountain Recreation Authority, Pedro Shoun Property, Johnson County, Tennessee

To the Office of Outdoor Recreation:

I am the owner of Doe Valley Campground, LLC, a private campground with 21 full-hookup RV sites at 271 Pedro Shoun Lane, Mountain City, Tennessee, in Johnson County. I am writing to formally object to the Tennessee Department of Environment and Conservation's ("TDEC") disbursement of \$159,000 in Land and Water Conservation Fund ("LWCF") money toward the Doe Mountain Recreation Authority's ("DMRA") purchase of the 80-acre Pedro Shoun property, and to the LWCF-assisted use now planned for that property, which sits directly adjacent to my campground — the two properties share a boundary line.

The award and the project. DMRA's own board minutes record that its Administrative Assistant/Board Liaison, Brie Novack, told the board on December 2, 2025 that she would apply for 50% LWCF reimbursement on the Pedro Shoun purchase, and reported on April 7, 2026 that "DMRA has received \$159,000 funding from the Land and Water Conservation Fund for the Pedro Shoun purchase" — at the same meeting where the board voted to commit matching funds toward an Appalachian Regional Commission grant to build 20 RV camping sites and a bathhouse on that same parcel.

I sold this land to DMRA in good faith, in reliance on DMRA's own written representations and its own board-adopted master plan, for a use that would not compete with my business — and DMRA has since reversed that use and plans to use state and federal funds to squash a local family

business. On December 12, 2023, before DMRA's board had even authorized exploring this acquisition, DMRA's Executive Director, Charles Ridlehuber, wrote to me and my business partner Brent Fowler that he was "talking with the folks who are doing our master plan on how to message this to the board since there will be a recommendation to purchase property for a training facility." Consistent with that representation, the Master Plan the DMRA Board adopted on April 2, 2024 — at the very same meeting at which it voted to purchase the 80-acre Pedro Shoun parcel from Doe Valley Campground, LLC — designated only a "PROPOSED LODGE AND TRAINING CENTER" for that parcel, with no camping, RV, or hookup use shown anywhere on it. I agreed to sell my land on that basis: a written representation and a formally adopted master plan describing a lodge and training center, not a competing campground. Only after the sale closed did DMRA's plan quietly change. DMRA obtained this land under one stated, written, board-adopted use, and is now directing \$159,000 in LWCF funds toward a materially different use that competes directly with the business it never told me it intended to compete with. TDEC's LWCF factor (4) analysis, and any Section 6(f)(3) review, should account for this: the change in use was not disclosed to the seller, was not reflected in any master plan at the time of purchase, and appears designed to sidestep the very anti-competition standard LWCF exists to enforce.

LWCF has its own written anti-competition test, and this award appears never to have been evaluated against it. The National Park Service's Federal Financial Assistance Manual, the controlling document for how every state administers LWCF, including Tennessee through your office, lists as project-eligibility factor (4):

"Competition with the private sector. Consideration should be given to the degree to which the private sector is already providing similar facilities of the type and quality needed to meet identified recreation demands, and the user fee is low enough to undercut private business, or the income is sufficient to justify private investment, or the facility is located in a tourist market area.

Can it be shown that the project does not compete unfairly with the private sector?"

— NPS LWCF Federal Financial Assistance Manual, Vol. 72

No public record I have located shows this factor was ever applied to the Pedro Shoun award. DMRA's own board minutes describe only a purchase for "the Pedro Shoun purchase," with no stated recreational purpose, no market study, and no reference to the private RV camping business immediately next door. I am asking your office to confirm, in writing, whether factor (4) was evaluated before the \$159,000 was disbursed, and if so, to share that analysis; if not, I am asking that it be conducted now, before any further LWCF funds are committed to this parcel or before DMRA is permitted to proceed with the RV-site component.

DMRA's own adopted master plan confirms the competitive harm this factor exists to catch. The current updated Doe Mountain Recreation Area Operations Center Expansion Master Plan, prepared by McGill Associates, P.A., dated September 2025 and adopted by the DMRA Board on December 2, 2025 — the same meeting at which the LWCF application was announced — records at pages 27–28 that in DMRA's own focus group, "the business members in attendance... did not want to see campgrounds on park property because of the competition that it would introduce," while those owners "were very much open to complimentary lodging being built on site." At page 34, DMRA's own plan recommends that camping "should be weighed to minimize competition with privately owned opportunities near the park." The RV-site use now planned for the LWCF-assisted parcel is precisely what DMRA's own consultants advised against.

The required public process for this specific application appears to have been skipped. Tennessee's own 2026 LWCF applicant guidance requires a project scope tied to a strategic plan and a minimum of two public meetings using a specific "Project Proposal Presentation" (TN 2026 LWCF Intent to Apply Workshop). DMRA's own board minutes show two public meetings were held for its separate LWCF application covering Roan Creek Campground (February 20 and March 3), but I have found no record of any public meeting for the Pedro Shoun application. I am asking your office to confirm whether the required public meetings were held for this specific application and, if not, to treat that as a defect in the award.

Section 6(f)(3) locks this land into public recreation use, and I am asking that any conversion be reviewed with the competing private facility fully disclosed. LWCF Section 6(f)(3) (54 U.S.C. § 200305(f)(3)) requires that land acquired or developed with LWCF assistance remain in public outdoor recreation use in perpetuity, and that any proposed conversion to another use receive prior approval from the Secretary of the Interior. I am asking your office to confirm whether a 6(f)(3) boundary map has been filed and recorded for this parcel, and, if the RV-site development proceeds, to ensure that any future NPS review of this project's consistency with LWCF's purposes is made with full knowledge that the adjacent, competing use is an existing, private, tax-paying campground — not an assumption of vacant or non-competing land.

Additional context your office may not have. DMRA's own 2019 response to the Tennessee General Assembly's Government Operations Committee described its mission as helping the county "mitigate... sales tax leakage" by sending visitors to local businesses, and specifically named private campgrounds as beneficiaries of its operations (DMRA 2019 Sunset Questionnaire, p. 11). A June 20, 2024 visitor study commissioned by DMRA itself, conducted by Tennessee Tech University's Center for Rural Innovation, confirms that DMRA and my campground draw from the same regional visitor pool, with North Carolina residents alone accounting for 49.7% of DMRA's visitation (Tennessee Tech / Center for Rural Innovation

study). I raise this because it goes directly to whether this project can honestly be said not to "compete unfairly with the private sector" under factor (4).

What I am asking. I am not objecting to LWCF funding for genuinely public, non-competing recreation improvements on this parcel — a bathhouse, trails, or day-use amenities raise none of these concerns. I am asking your office to (1) confirm whether LWCF factor (4) was evaluated for this award and share that analysis, or conduct it now before the RV-site component proceeds; (2) confirm whether the required public meetings were held for this application; and (3) confirm the status of the Section 6(f)(3) boundary map and ensure any future conversion or compliance review accounts for the adjacent private campground. I have separately requested the underlying records through a Tennessee Public Records Act request, and I would welcome a substantive response to this letter independent of that request.

I am willing to provide any of DMRA's own public documents referenced above, and to discuss this directly with your office.

Thank you for your attention to this matter. I would appreciate written confirmation of receipt.

Respectfully,



Andrew Livingston, Owner
Doe Valley Campground, LLC

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