

Resolution of the Clay County Board of Commissioners Opposing the Tennessee Valley Authority (TVA) and Blue Ridge Mountain Electric Membership Corporation (BRMEMC) Proposed Transmission Line Project in Clay County, North Carolina

WHEREAS, the Tennessee Valley Authority (TVA) and Blue Ridge Mountain Electric Membership Corporation (BRMEMC) have proposed a new high-voltage transmission line project in Clay County, North Carolina, including the construction of a new substation on Burnt Schoolhouse Road and associated transmission lines spanning approximately 7.7 to 9.5 miles; and

WHEREAS, upon reviewing the TVA proposal of the new substation and transmission line project, the Clay County Board of Commissioners find that the current proposed routes for these transmission lines do not comply with the Clay County Comprehensive Plan for Clay County; and

WHEREAS, specific route proposals have been presented by TVA and BRMEMC, which would require the acquisition of new rights-of-way (ROW) and easements across private and public lands in Clay County; and

WHEREAS, the notification provided to Clay County residents regarding this project has been limited and inadequate, with a single public open house and subsequent virtual open house announced with minimal advance notice—such as the December 4, 2025, event held in Towns County, GA, publicized initially in late November 2025—failing to allow sufficient time for meaningful community engagement; and

WHEREAS, the Clay County Board of Commissioners was first notified via email on November 14, 2025, again failing to provide adequate time and information to collaborate with local stakeholders; and

WHEREAS, the public comment period associated with these proposals has been insufficient, particularly in light of the Holiday Season, providing limited opportunities for residents, landowners, environmental experts, and stakeholders to review detailed project plans, environmental impact assessments, and alternative options, thereby undermining the principles of transparent and inclusive decision-making; and

WHEREAS, the proposed routes and easements raise significant concerns regarding the infringement on private property rights, including the potential for eminent domain proceedings, fragmentation of family-owned lands, and long-term restrictions on land use that could devalue properties and disrupt agricultural, recreational, and residential activities; and

WHEREAS, portions of proposed routes may cross or lie adjacent to documented and potential archaeological sites, including Native American habitation areas, historic Cherokee trails and village locations, and possible burial grounds within the traditional Cherokee homeland; construction of 100-foot-wide rights-of-way, tower pads, and access roads could cause extensive ground disturbance that risks irreversible damage to or destruction of irreplaceable cultural artifacts, sacred sites, and human remains protected under federal law; and

WHEREAS, the project poses potential environmental risks, including habitat disruption for local wildlife, soil erosion, water quality impacts to nearby streams and the Hiwassee River watershed, increased risk of invasive species introduction, and visual and auditory disturbances from construction and operation that could harm sensitive ecosystems in this mountainous region; and

WHEREAS, Clay County is renowned for its pristine natural beauty, including forested mountains, scenic vistas, and recreational areas that attract visitors and support the local economy through tourism, outdoor activities, and eco-friendly development; the installation of tall transmission structures and cleared ROWs would irreparably scar this landscape, diminishing the aesthetic value of the county and threatening the preservation of its unique natural heritage for future generations; and

WHEREAS, the proposed transmission infrastructure appears oversized for the actual needs of Clay County, with capacity far exceeding current electricity demand or any reasonable projection of future growth based on population trends, economic development patterns, and energy efficiency improvements; this overbuild risks unnecessary rate increases for ratepayers, wasteful public expenditure, and stranded assets that do not align with sustainable energy planning; and

WHEREAS, viable alternatives exist, including the utilization of existing ROWs along established utility corridors or roadways to minimize new land disturbances, as well as scaling down the project's voltage and capacity to match verifiable demand forecasts, incorporating distributed energy resources, battery storage, and demand-side management to meet local needs more efficiently and environmentally responsibly;

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Commissioners, in regular session assembled on this 4th day of December, 2025, that:

1. The Clay County Board of Commissioners hereby expresses its strong opposition to the TVA and BRMEMC proposed transmission line project in its current form, including the presented route proposals, due to the aforementioned procedural, environmental, aesthetic, and economic concerns;

2. The Clay County Board of Commissioners calls upon TVA and BRMEMC to immediately extend the public comment period by no less than 90 days beyond the original deadline of January 5, 2026, with enhanced notice efforts including additional direct mailings and other forms of notification to all affected landowners, multilingual outreach, further virtual and in-person forums across Clay County, and transparent disclosure of all environmental impact studies, engineering reports, and demand projections;
3. The Clay County Board of Commissioners urges TVA and BRMEMC to conduct a comprehensive re-evaluation of the project, prioritizing the use of existing ROWs to avoid new easements and land clearing, and to scale down the transmission capacity to levels justified by evidence-based demand analyses that account for conservation and renewable integration;
4. The Clay County Board of Commissioners demands that any future project iterations undergo a full National Environmental Policy Act (NEPA) review, including an Environmental Impact Statement that rigorously assesses alternatives, cumulative impacts, and mitigation measures to protect Clay County's natural resources and community well-being;
5. The Clay County Board of Commissioners encourages collaboration with local stakeholders, including the Clay County government, environmental organizations, and affected residents, to co-develop a revised project plan that balances reliable and added energy service with the preservation of our county's irreplaceable natural beauty and rural character;
6. The Clay County Board of Commissioners shall forward copies of this Resolution to the Tennessee Valley Authority, Blue Ridge Mountain Electric Membership Corporation, the North Carolina Utilities Commission, the U.S. Army Corps of Engineers, the Environmental Protection Agency, Eastern Band of Cherokee Indians, and relevant state and federal elected representatives, requesting their urgent attention and intervention to address these critical issues;
7. This Resolution shall take immediate effect upon adoption, and the Clay County Board of Commissioners authorizes the Clay County Government and its officers to take all necessary actions to implement and publicize its provisions.
8. That the Chairman of the Clay County Board of Commissioners shall sign this resolution on behalf of all the Commissioners.

APPROVED BY UNANIMOUS VOTE AND ADOPTED this 4th day of December 2025.



Dr. Rob Peck, Chairman
Clay County Board of Commissioners

ATTESTED BY:



Betty Bradley, Clerk to the Board