

7. What does “out of compliance” mean?

The full legal ramifications are unclear, because defaults on a binding land-swap settlement with the National Park Service (NPS) are rare. However, “out of compliance” basically means the City of Red Bank has not fulfilled its requirements under a legal obligation. Red Bank now is required to either (1) negotiate and fulfill a new settlement agreement, or (2) relent to a solution forced upon it by the NPS and the Tennessee Department of Environment and Conservation (TDEC). TDEC is the state-level implementation partner with NPS for this grant program, and is authorized to enforce compliance.

In the meantime, Red Bank is blacklisted with important state and federal government grant programs, a problematic position for a small town that is highly dependent on outside grants. If Red Bank’s default continues, then TDEC, in turn, could be determined to be out of compliance with NPS, and the State of Tennessee also could be blacklisted and penalized with reduced federal appropriations. TDEC does not want its status with NPS to be tarnished by Red Bank’s negligence, and instead would impose a solution onto Red Bank, if necessary.