

U.S. ARMY CORPS OF ENGINEERS
NASHVILLE DISTRICT
CENTER HILL LAKE

SHORELINE MANAGEMENT PLAN
APPENDIX H TO PART II OF THE
OPERATIONAL MANAGEMENT PLAN

September 2000

1. **Authority.** The authority for the preparation of this document is contained within ER-1130-2-406, Shoreline Management at Civil Works Projects.

2. **References.**

a. Section 10, Rivers and Harbors Act of 1899 (33 USC 403).

b. The National Environmental Policy Act of 1969, PL 91-190.

c. Section 404 of the Clean Water Act (PL 92-500, 86 STAT. 316, 33 U.S.C. 1344).

d. The Water Resources Development Act of 1986 (P.L.99-662).

e. Title 36, Chapter III, Part 327, Code of Federal Regulations, 11 Rules and Regulations Governing Public Use of Water Resource Development Projects Administered by the Chief of Engineers.

f. 33 CFR 320-330, Regulatory Programs of the Corps of Engineers.

g. ER 1130-2-540, Environmental Stewardship Operations and Maintenance Policies.

h. National Historical Preservation Act of 1966. (PL 89-665; 80 STAT. 915) as Amended (16 USC 470 ET. Seq.)

i. Federal Register, Vol. 61, No. 241, December 13, 1996, "Final Notice of Issuance, Reissuance, and Modification of Nationwide Permits; Notice.

3. **Purpose.** The purpose of this Shoreline Management Plan (SMP) is to establish a policy and furnish guidelines to the Resource Manager for effective long-range management of the shoreline of Center Hill Lake. Center Hill Lake has developed into an extremely popular outdoor recreation oriented lake. Visitors from the lake area, as well as those from all over the country, enjoy a wide variety of recreational activities. These activities include camping, picnicking, fishing, hunting, boating, water skiing, hiking, and sightseeing. The recreational experience of these visitors is enhanced by the aesthetic qualities of the lake and the forested shoreline. This plan will complement the project Operational Management Plan, Part II, and will be included as an appendix to it.

4. **Objectives of the Plan.** A primary objective of this plan is to maintain the outstanding environmental characteristics of Center Hill Lake for the full benefit of the public. In accordance with our responsibilities under the provisions of the National Environmental Policy Act of 1969 (NEPA), the fundamental goals of management of lake resources are to establish and maintain acceptable fish and wildlife habitat, preserve aesthetic qualities, and promote the safe and healthful use of the lake and surrounding public lands by the general public. Demands for outdoor recreational opportunities on the lake are continually increasing, while the total amount of land and water area is fixed. The lake and surrounding land is becoming increasingly valuable as a place for outdoor recreation. This plan will provide guidance for optimum use of these finite natural resources for present and future generations.

Increased use demands may require the expansion of present facilities and the development of new areas. Development plans for Center Hill include primitive camping areas connected by long-distance hiking trails. As with any recreational development, budgetary and legislative authority must be considered. Water quality is also an important objective to consider in managing the shoreline of Center Hill Lake. The popularity of the lake for outdoor recreation owes much to the excellent water quality of the lake. Also, the water systems for the cities of Smithville and Cookeville depend on the lake. Natural vegetation along the shoreline acts as a buffer to help purify run-off water and to control erosion along the shoreline.

Much of the natural shoreline environment of Center Hill Lake is ideally suited for interpretive and environmental study. Such areas provide a learning environment for educational groups seeking outdoor classrooms for teaching and study.

Effective management of the Center Hill Lake shoreline is also required for continuation and expansion of the wildlife management program in cooperation with the Tennessee Wildlife Resources Agency (TWRA). The purpose of the wildlife management program is to maintain and improve wildlife habitat and populations for both game and non-game species, as well as to improve hunting and viewing opportunities for the visiting public. The management program also protects valuable habitat for any rare and/or endangered wildlife species found on or near public lands.

The development of adjacent private property around the lake will certainly continue. This plan limits private exclusive use of public property by adjacent property owners in favor of conserving the natural environment of the shoreline for use by the public. On other lakes in the Nashville District where private privileges by adjacent landowners have been allowed, the public values of the shoreline have been significantly altered. Large sections of the shoreline at these lakes have been cleared of natural vegetation and crowded with private boat docks, creating the appearance of private ownership. This plan, therefore, contains definite guidance pertaining to private floating recreation facilities and the removal of natural vegetation. The development of this plan has included full consideration for existing permitted private exclusive use facilities or privileges and any prior commitments made regarding them. This plan will be used as a management tool by the Resource Manager to protect, conserve, and promote the natural, cultural, and historical resources of Center Hill Lake in a manner consistent with the full-use and benefit of the public, both present and future generations.

5. **History and Description Of the Lake.** Center Hill Dam which forms Center Hill Lake was originally authorized by the Flood Control Act of 1938 and the Rivers and Harbor Act of 1946. Construction of the Dam and impoundment of the Lake was completed in 1948 with final completion of the Dam's Hydroelectric Plant being accomplished in 1950. The authorized purposes for the project were flood control and hydroelectric power production. Although not initially authorized as a purpose for the project, recreation fast became established as another important use. The Corps under the authorities contained in the 1944 Flood Control Act added recreation as an authorized project purpose.

The Center Hill Lake Project is located in the north central sections of Middle Tennessee at river mile 26.6 on the Caney Fork River, a 145-mile long tributary of the Cumberland River. The geographical area of the project encompasses portions of the Tennessee counties of Dekalb, Putnam, White, and Warren.

The shoreline of Center Hill Lake is 415 miles in length at maximum flood pool elevation 685 msl and is irregular and broken by numerous inlets, coves, and creeks. The lake is surrounded by a series of ridges and hills with hardwood forests growing to the water's edge. All timber below the normal summer pool elevation of 648 msl was cleared prior to impoundment of the lake; therefore flooded timber along the shoreline does not exist. The shoreline is composed of gravel, rubble, boulders, and limestone bluffs. A mixture of mud and rock characterizes some of the banks in the upper tributaries.

Configuration of the shoreline does not differ appreciably with the level of the lake due to its steepness, which varies from 20-30 percent slopes to sheer bluffs. The generally steep angle of the shoreline and the 250-foot high dam allow for a tremendous flood control storage capacity (762,000 acre-feet at elevation 685 msl), thus providing significant benefits by reducing downstream flooding.

6. **Land and Water Area.** The project encompasses a total of 38,976 acres of land and water. At the normal full pool or maximum power pool (elevation 648 msl) there are 18,220 acres of water surface with 21,679 acres of land lying above this level. At the flood control pool elevation of 685 msl, the water surface area encompasses 23,060 acres and provides a total water storage capacity of 2,092,000 acre-feet. The normal pool during the recreation season generally ranges from elevation 640 msl to 648 msl. The general-guide taking line for acquisition of lands of Center Hill Lake was the 700 msl elevation or greater. The perimeter mileage of fee-owned land is approximately 340 miles. Center Hill Lake is 64 miles in length with a total drainage area of 2,195 square miles, and is in the top 50% of the ten Nashville District projects.

7. **Present Land Use.** The Corps of Engineers operates nine public recreation areas and has thirteen secondary access points on Center Hill Lake. The eight commercial marinas on the lake provide a wide range of services including fishing supplies, pleasure boating, houseboats, water skiing, restaurants, overnight accommodations and other related activities for lake users. Other than Corps recreation areas and commercial marinas, several outgrants have been made to State, educational, recreational, and group camp concerns. These outgrants include two state parks, Edgar Evins (5,928 acres) and Rock Island (165 acres), and the Joe L. Evins Appalachia Center for Crafts (587 acres). Most of these sites include a spectacular outdoor experience, and many offer camping, cabin rental, restaurants/country store, and hiking trails.

Under a license from the Corps of Engineers, the Tennessee Wildlife Resources Agency (TWRA), conducts an active fish and wildlife program on lands and waters not under an outgrant or otherwise developed. Much of this land is situated on steep hills and atop high bluffs and is not easily accessible, but is well suited for certain wildlife management programs.

8. **Development of the Shoreline Management Plan.** Following the impoundment of the lake in 1948, lakeshore use permits were issued in accordance with the land use policy outlined in the project Master Plan. Private dock permits, letters of no objection for landscaping, and real estate outgrants such as pipeline licenses and agricultural leases, were generally issued if the proposed work did not adversely affect project operations or interfere with public access. A limited number of lakeshore use permits were issued in accordance with this policy. In 1969, a policy of no new permits for private floating facilities, mowing or landscaping was implemented on the lake.

In 1972, a comprehensive study was conducted to determine the long-range environmental impact of private exclusive use privileges at Center Hill Lake. This study resulted in the continuation of the policy existing since 1969, whereby no new private privileges for floating facilities and landscaping would be permitted. A Lakeshore Management Plan for Center Hill Lake was implemented in June 1979. A series of public meetings were held prior to the plan becoming final, and a large number of objections by individuals were recorded and reviewed. This plan represents a reasonable compromise which reduced the hardships experienced by boathouse owners while ensuring the ecological and aesthetic values of the lake would be preserved. In anticipation of increased demands from adjoining property owners, this plan clearly limited private exclusive use by adjacent property owners.

The Lakeshore Management plan was reviewed and updated several times over the years. In October 1990, Corps of Engineers Regulation No. ER 1130-2-406 provided updated directives concerning the Lakeshore Management Plan, including a change in the name of this plan to the Shoreline Management Plan. It also requires that the plan be reviewed/updated every five years. In September 1994, the Center Hill Lake staff began a public involvement process to review, and update the 1990 Lakeshore Management Plan. This resulted in the implementation of a revised plan in June 1995.

Any information gathered during the period that the 1995 plan was in effect was reviewed, and a draft update of the plan was

prepared in June 2000. The Resource Manager conducted two public meetings on the draft plan in February and March 2000. The Shoreline Management Plan presented herein is the result of that review.

9. **Residential Development on Adjoining Property.** Initially, development of adjoining private property surrounding Center Hill Lake for residential dwellings increased slowly. Public real estate holdings, remoteness to highly populated areas, and a rugged shoreline have all contributed to allowing the shoreline of Center Hill Lake to remain practically unspoiled.

In recent years, the development around the lake and the number of residential lots and subdivisions have increased significantly. Development of the surrounding land for residential purposes is expected to continue to increase, however, no new permits will be issued for private floating facilities, mowing, or landscaping.

10. **General Shoreline Allocation.** In accordance with ER 1130-2-406, Shoreline Management at Civil Works Projects, the entire shoreline of the project is allocated as either Public Recreation Area, Protected or Prohibited access as described below. A large-scale map showing the areas within these classifications will be kept in the Resource Manager's office and is available for public inspection and review. All of the land at Center Hill Lake is assigned allocations, which reflect current and proposed uses. The following shoreline allocations apply:

a. **Public Recreation Areas.** Commercial concessions and marinas are permitted within the public recreation areas if approved by site development plans described in the Project Master Plan. Sites designated by this classification include, but are not limited to, Corps developed recreation areas, state parks, and commercial marinas. The locations of these areas are depicted in red on the allocation map.

b. **Protected Lakeshore Areas.** These areas have been established to protect aesthetic, environmental, and fish and wildlife values. Land access, boating, fishing, and other recreational activities are permitted along the shoreline within this allocation as long as it is compatible with the protection of the shoreline. Private privileges for floating facilities and landscaping are not permitted on Center Hill Lake except for grandfathered permits for existing privileges. This classification includes all shoreline areas that are not designated as public recreation areas or prohibited access

areas. Shoreline areas with this classification are shown in green on the allocation map.

c. Prohibited Access Areas. These areas are established for the physical safety of the recreational visitors. Visitor access is prohibited along the shoreline in these areas. The following are areas within this classification:

(1) The immediate area of the dam structure, including the posted danger areas upstream and downstream.

(2) The areas of operations for the powerhouse, switchyard, and saddle dam.

(3) The project operations service base include the warehouse storage area and the maintenance and shop facilities. Exceptions to the above include the visitor centers at the powerhouse and the Resource Manager's office and access to the roadway across the top of the dam for vehicular traffic. This area is shown in orange on the allocation map.

11. **Grandfathered Floating Recreational Facilities**. A small number of docks existing at the time of the implementation of the initial Lakeshore Management Plan for Center Hill Lake were allowed to remain in place through grandfathering provisions in the plan, and some of these docks remain permitted today. *No permits for new private moorage facilities will be issued.* Individuals currently holding a valid permit for private moorage facilities issued by the District Engineer or his representative will be allowed to retain such privileges as grandfathered permits. These permits cannot be transferred or reassigned, and become null and void upon sale or transfer of the permitted facility or the death of the permittee and his/her legal spouse. A new permit may be issued to a new adjoining private property owner after he or she submits a complete application and the required fees under provisions outlined in paragraph 12 below. The Resource Manager will receive and process all applications for Shoreline Use Permits. Only one dock will be permitted per adjacent ownership on Center Hill Lake. Only two boats legally registered to the permittee can be moored at the dock and the registration numbers must be furnished to the Resource Manager. The permittee will be responsible for all watercraft moored at the permitted dock. The permitted dock may not be rented, leased, or licensed to other individuals. Floating structures shall be maintained in a good state of repair. Encapsulated foam must be used when replacing flotation. No additions or alterations may be made to the size of the structure. Extensive repairs/reconstruction must have prior written approval of the Resource Manager.

12. **Section 6. Public Law 97-140 amended by Section 1134 (d), Public Law 99-662.** Public Law 97-140 stated that no dock, cabin or appurtenant structures, lawfully installed on or before December 29, 1981, shall be required to be removed before December 31, 1989, from a water resources reservoir or lake project administered by the Secretary of the Army. This law was amended by Section 1134 (d), Public Law 99-662 which states that any such facilities that existed as of November 17, 1986, cannot be removed except when the dock or structure presents a safety hazard or the permittee fails to comply with the conditions of the permit.

All docks, or appurtenant structures, lawfully installed on the lake must be maintained in a safe condition and in compliance with permit requirements. All deficiencies must be corrected upon receipt of notice from the Resource Manager. If all unsatisfactory conditions are not corrected within the specified time period, the permit will be revoked, the structure will be removed at no expense to the government, and another permit or outgrant will not be issued. When the dock presents a safety hazard or the permittee fails to comply with permit conditions; all deficiencies must be corrected upon receipt of notice from the Resource Manager. If all unsatisfactory conditions are not corrected within the specified time period, the permit will be revoked, the dock must be removed, and another permit or outgrant will not be issued.

13. **Activities Requiring Real Estate Instruments.** Items which involve structures placed on public land or changes in landform are covered by a lease, license, easement, permit or other legal outgrant issued by the Corps Real Estate Division. All commercial activities and agricultural uses require a real estate outgrant. Minor privileges, such as water or electrical lines require a five-year license.

a. **Electrical Lighting and Equipment.** Electrical equipment may be permitted provided that the installation of such equipment does not pose a safety hazard or conflict with other recreational use. Electrical facilities on public property shall be approved only to provide lighting or power for a permitted private dock. The Resource Manager or his or her representative will approve the location and size of all lights on the floating facility. Electrical installations must meet all applicable codes. The electrical installation must be certified by the state electrical inspector, a copy of the electrical inspection certificate must be furnished, and administrative fees paid to the Resource Manager before final approval. A copy of every subsequent re-certification (e.g. for rewiring or adding more outlets) shall also be furnished to the Resource Manager. If a new adjoining private property owner

wishes to obtain a license to continue use of existing electrical facilities on public property, he or she must have the wiring re-inspected and provide the Resource Manager with a new state inspection certificate in his or her name. Because of the potential hazards of electrical shock, the Resource Manager will require removal of any electrical equipment if the installation cannot be certified. Overhead electrical lines will not be permitted unless the Resource Manager determines that natural conditions preclude underground installation. Electrical lines or fixtures cannot be affixed to trees on public property.

b. Pipelines. Applications for water pipeline licenses for domestic use will be considered if the total quantity of water to be drawn from the lake does not adversely affect project operations, and where no city or well water is available. All water pipelines will be buried except where the Resource Manager determines that natural conditions preclude such installation. Water pumps that are not of submersible design must be located on private property or on a permitted private dock. The fee for a water pipeline with a submersible pump will include a charge for water withdrawal, as well as an administrative fee for processing and preparation of the real estate license and inspection of the electrical line associated with the pump.

c. Agricultural Grazing. This land use classification includes project land leased for hay and grazing purposes. Agricultural leases are considered on a case-by-case basis. If the land is required to enhance the wildlife management program or other higher priority purpose, no lease will be issued. At present, a limited number of outgrants exist for agricultural hay and grazing leases on Center Hill Lake. These provide access to water where no other feasible means of supply is available. These are being phased out as ownerships are transferred.

14. Human Habitation. Permitted floating moorage facilities and any houseboat, cabin cruiser, or other vessel regularly moored thereto shall not be used for human habitation or in any manner which gives the appearance of converting the public property, on which the facility is located, to private, exclusive use.

Vessels or other watercraft while moored in commercial facilities, community or corporate docks, or at any fixed or permanent mooring point may only be used for overnight occupancy when such use is incidental to recreational boating. Vessels or other watercraft are not to be used as a place of habitation or residence on either a full time or part time basis.

15. **Commercial Marinas.** The eight commercial marinas on Center Hill Lake encompass approximately 703.27 acres of land and water, and are privately operated to serve the general public under lease contracts with the Secretary of the Army. All structures including floating and land-based facilities as well as all other related activities are subject to the terms and conditions of the lease contract. Some commercial marinas have boathouses in their lease area that are privately-owned by individuals who pay the marina a rental fee for their continued placement inside the lease area. These individually owned boathouses are to be used for boat storage only. Individual privately owned boathouses located in commercial lease areas are subject to the guidelines and conditions outlined in ER 1130-2-406 pertaining to private floating facilities. No new individual privately owned floating facilities will be allowed at any commercial marina on Center Hill Lake.

16. **Shoreline Alteration.** Individuals now holding Shoreline Use Permits for mowing and landscaping privileges will be allowed to retain that privilege until sale, transfer, or death of the person or persons to which the permit is issued. At that time the Shoreline Use Permit will be canceled, and the area will be allowed to revert to its natural state. Mowing, landscaping, or modification of the shoreline in any manner is prohibited except where a valid permit or license has been issued for mowing, landscaping or pipelines.

a. **Fire Lanes.** The Resource Manager may permit mowing or removal of vegetation for fire protection on a case-by-case basis when buildings existing as of the implementation of the Shoreline Management Plan in 1979 are in such close proximity that a fire lane cannot be maintained on private property. The Resource Manager will specify the dimensions of all permitted fire lanes and what type vegetation can be removed. A maximum of 50' from the structure will be allowed for the fire lane. It is the adjacent landowner's responsibility to locate new buildings away from the Government property line to protect private property.

17. **Department of the Army Permits.** Department of the Army Permits are issued under the authority of Section 10, Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act. These permits will be required for activities such as construction of intake structures, outfall lines, submarine and aerial crossings for power lines, cables and pipelines, modification of wetlands, non-floating structures, construction of fixed piers, discharge of dredged or fill material and other similar activities. Shoreline Use Permits cannot be issued under these circumstances (See Title 33, Code of Federal

Regulations, Section 322.5(d)(2)). Some categories of work have previously been authorized under provisions of nationwide or regional permits (general permits) so that an individual Department of the Army Permit is not required. The average processing time for non-controversial, individual permit applications is sixty days from the date a complete application is received in the Corps Nashville District Office. Because of the public notification process, controversial applications, which involve potentially adverse environmental impacts, could take much longer and could ultimately be denied. Therefore, applications should be submitted to the Resource Manager as far in advance of the proposed work as possible.

18. **Paths and steps.** A written land use permit may be issued by the Resource Manager to allow pedestrian access for minor work such as hand trimming of briars and removal of debris. Such access will be limited to a meandering pathway not to exceed four feet in width and must blend in with the natural terrain. Only dirt paths or natural rock improved paths will be permitted. The use of natural stone for steps may be permitted when such material is placed flush with the ground. The construction of concrete, metal, or wooden walkways, staircases or personnel lifts is prohibited. Access paths across public lands will be limited to pedestrians only and open for use by the general public. Leases, licenses, or permits for existing concrete, metal, or wooden walkways, staircases or personnel lifts will be cancelled upon the sale or transfer of the adjacent property unless they are appurtenant to an existing permitted dock. The structure(s) must be removed from public land at no expense to the government. A path may be approved to replace the removed structure.

19. **Trash, Refuse, Debris.** The disposal of household trash, grass cuttings, leaves, tree limbs, waste oil or chemicals, or any other material in the lake or on public land is prohibited. Burning household trash or garbage on public land is also prohibited.

20. **Boundary Lines and Public Property.** The public property line around the lake has been established and clearly marked with signs on trees, metal post, and blaze marks painted yellow on trees. It is the responsibility of each adjoining landowner to know the exact location of his or her property lines and corners. Removal or alteration of public property line markers or survey points is prohibited.

a. **Encroachments.** An encroachment is the construction of or placement of any structure on public lands or waters or alteration of public lands. Examples include placement or construction of patios, decks, television antennas, steps,

walks, fill, etc. on public lands. Construction on, or alteration of, public lands and waters is prohibited.

b. Tree Vandalism. The destruction of or alteration to trees or any other plant materials located on public property is prohibited. The Nashville District Vandalism and Plant Valuation Standard Operating Procedure will govern resolution of cases involving the destruction of or alteration to trees or other plants located on public property.

21. Appeals Process. Many shoreline management violations can be resolved at the local level through the Resource Manager. If a problem cannot be resolved at this level, documentation of the dispute may be forwarded to the District Engineer for review. The review will focus on any procedural deficiencies in the Resource Manager's decision, or conflicts between the decision and the Shoreline Management Plan. The decision by the District Engineer is final.

22. Procedures for Items Not Otherwise Covered in this Plan. There may be occasions when requests for privileges or work within the scope of shoreline management arise which are not specifically addressed in this plan. If this occurs, the Resource Manager will take the following actions:

a. Review the request for general conformance with the objectives and intent of the Shoreline Management Plan. Determine if the request is likely a one-time event or whether it will likely be a recurring demand.

b. If the request is likely a one-time event and a decision concerning the application is clearly contrary to, or not contrary to, the overall public interest in light of the objectives of the SMP, the Resource Manager shall approve or deny the request in a timely manner and document the administrative file as to the nature of the request and reasons for actions taken.

c. If the request would likely be of a recurring nature, in addition to making a determination and taking action as in (b), above, the Resource Manager shall forward a copy of the documentation to the Nashville District office. This documentation will include a proposal of how such requests should be addressed in updates to the SMP.

d. If a request is highly controversial or could impact the administration of the Shoreline Management program by setting a precedent for similar proposals, the Resource Manager shall forward the request to the district office for review and joint determination as to the proper course of action. The

applicant will be advised in a timely manner as to the status of his or her request and informed of the anticipated date of a decision on the request. Once a decision is made, the Resource Manager will draft proposed wording to be included in updates to the Shoreline Management Plan to address similar requests, and submit the proposal to the district office for review.

23. **General Evaluation of the Plan.** This Shoreline Management Plan is intended to provide optimum benefits to the public and to conserve the natural, cultural, and historical resources of Center Hill Lake. Present and future recreational needs of the public and environmental considerations were evaluated in formulating the Plan. This Shoreline Management Plan will be reviewed periodically, but no less often than every five years, to determine the need for an update.

24. **Public-Involvement.** Center Hill Lake personnel are available to address any questions concerning the Shoreline Management Plan. The Resource Manager will hold public meetings or workshops to seek public input and involvement for any major update in the Shoreline Management Plan or the Project Master Plan. This will also apply to policy revisions, which will affect changes in land use and/or impact a large number of people.