



**US Army Corps
of Engineers®
Nashville District**

Lake Barkley

Lake Casts



**Spring
2008**

Cutting, Damaging, or Destroying Trees on U.S. Army Corps of Engineers Property is a Federal Crime

Trees and vegetation on publicly owned lands surrounding Lake Barkley are being severely damaged, cut, or destroyed by individuals who own private land adjacent to public property. In some cases, trees located on adjacent privately-owned lands are being cut and allowed to fall onto trees on public lands, resulting in damage that often proves fatal to those trees. However, in most recent cases, adjacent property owners are knowingly crossing from their adjacent private property onto public property and destroying or severely damaging trees and other types of vegetation on public property to create a view of the lake from their private residences or to extend their lawns.

Adjacent property owners around Lake Barkley must first obtain a permit to mow and maintain the area between the government boundary line and the water. This permit only allows the removal of vegetation smaller than one inch in base diameter. Cutting of trees or the damage or removal of any vegetation larger than one inch in base diameter for any purpose, including timber harvesting, creating views of the lake, pruning, or landscaping, is a federal crime and is punishable under the provisions of Title 36 Code of Federal Regulations, Part 327. Any person who violates the provisions of Title 36, CFR, Part 327, may be punished by a fine of not more than \$5,000 or imprisonment for not more than six months or both, and may be tried and sentenced in accordance with the provisions of Title 18, United States Code, Section 3401.

Primarily due to the outstanding environmental quality and aesthetics of Lake Barkley and the

relatively long recreation season, the lake and the surrounding public property are well known to a diverse group of outdoor recreationists, and attract more than three million visitors annually from Kentucky, Tennessee, and surrounding states. The lake encompasses 57,900 acres at summer pool, elevation 359 mean sea level, and is surrounded by 1,004 miles of shoreline. The visitors to Lake Barkley add more than \$58 million to the local economy as they pursue outdoor recreational activities such as wildlife viewing and photography, boating, fishing, camping, picnicking, hiking, or just simply sight-seeing.

Since the impoundment of Lake Barkley, there has been a desire from individuals to develop property along the shoreline in order to live within close proximity to the lake and to gain better access to recreational activities. The relentless pressures of this residential development adjacent to public lands surrounding Lake Barkley is resulting in a significant increase in the number of newly discovered cases of damage and destruction of trees and vegetation on public lands. It appears that some adjacent lakeshore residents are willing to damage or destroy public property for personal financial gain and/or to obtain improvements to their personal property in the form of lake views and vistas for their homes.

Actions by property owners adjacent to public land that involve the destruction of the environmental features of the lake and surrounding forested shoreline also create potentially severe erosion problems. The presence of the natural shoreline is necessary to maintain the water quality of Lake Barkley. Natural vegetation along the shoreline acts as a buffer and helps to purify run-off water and control erosion along steep hillsides. The Kentucky cities of Grand Rivers, Kuttawa, Princeton, Cadiz and Hopkinsville, as well as, the Tennessee cities of Dover, Erin, and Clarksville all depend upon Lake Barkley for their drinking water.

Individuals who illegally cut trees and vegetation in this important and sensitive “buffer zone” on public property are committing federal criminal acts of vandalism. It is the Corps’ goal to maintain and preserve the outstanding features of Lake Barkley for the full benefit of the general public and future generations of Americans. Replacement of well established, old-growth trees along the boundary line is far more difficult than repairing a vandalized restroom door at a park recreation area or a picnic table at a campsite. These violators are doing more than simply destroying government property - they are stealing. They are stealing from their neighbors, friends, and visitors to the lake by removing the picturesque and remote quality that attracts many varied users to Lake Barkley.

In the past several years, the Corps has worked closely with violators to either restore the damaged areas or to collect the monetary value of the damages and utilize the money to enhance or protect the natural resources at the lake without fully prosecuting the violators through the federal court system. However, a more effective approach is necessary to deter the rash of acts of vandalism and to ensure the long-term environmental quality of the lake and surrounding shoreline. For this reason, all future acts of vandalism will be investigated and all findings will be turned over to the United States Attorney's Office for prospective prosecution through the federal criminal court system. The Resource Manager and Park Rangers have identified this as a high priority and are working diligently to locate, investigate and consider federal prosecution in all cases of destruction of public property.

Consideration is being given to suspending or revoking permitted privileges, such as boat docks or mowing permits, for landowners guilty of destruction of public property. This issue will likely be discussed during the next update of the Lake Barkley Shoreline Management Plan in 2009.

During recent investigations of tree vandalism cases, violators have provided false statements

concerning the facts of the cases to Park Rangers. Providing false statements to federal officers is also a federal crime. Any person who provides a false statement to a federal officer is subject to prosecution under Title 18, United States Code, Section 1001.

Local residents can help stop this degradation of our lake scenery. Although the Corps is making every effort to locate and take the appropriate action against offenders, our most important asset could be the eyes and ears of the general public. Community members are invited to help protect this important natural resource and provide timely assistance by calling the U.S. Army Corps of Engineers Resource Manager’s Office at Lake Barkley if they hear a chainsaw or bulldozer at work in an area they believe is government property.

Reporting violations such as dumping of trash or the construction of unauthorized structures or roadways onto government property is also strongly encouraged. The identity of all individuals that report unauthorized activities will be kept confidential or anonymous, and all reported violations will be investigated.

Anyone who observes or has knowledge of theft, vandalism, or any other threat or suspicious activity against Corps property is also encouraged to participate in the “Corps Watch” program, which is a nationwide crime-watch program developed to protect Corps of Engineers property. Each year, millions of dollars are lost due to property damage from vandalism, larceny, arson, and environmental and cultural resource degradation. This program is designed to heighten public awareness of the seriousness of the impacts of crime within or around dams, lakes, locks, recreation areas, and other Corps of Engineers property and facilities.

Authorized by Section 205 of the Water Resource Development Act of 2000 and the Economy Act (31 U.S.C. 1535), national funding is available to issue rewards of up to \$1,000 to individuals for information leading to the arrest and prosecution of offenders. “Corps Watch” uses a 24-hour-a-day toll free hotline that assures the identity of the caller is protected and the proper authorities are notified. To report theft,

vandalism, or any threat or suspicious activity against Corps property, please call the "Corps Watch" hotline at 1-866-413-7970.

You can help protect the shoreline along Lake Barkley as an unspoiled, natural, and timeless beauty. Please call the Lake Barkley Resource Manager's Office at (270) 362-4236, Monday - Friday, 7:00 am to 4:00 pm, CST for additional information or to learn how you can help protect the outstanding environmental quality of the land and water resources at Lake Barkley. As always, your help with our efforts to better manage these resources is greatly appreciated.

Meet the Staff

If you're a newcomer to Lake Barkley, or if it has just been a while since you have had the need to contact us, you may not be familiar with the Corps employees who work in the Resource Manager's Office.

The Lake Barkley Resource staff is available to assist you in any way we can. In an effort to better serve your needs, the lake is divided into five areas of responsibility. Each area is assigned to a Ranger. The assignments are as follows:

Mike Looney – Resource Manager

Kayl Kite -- Conservation Biologist

David Landis -- Environmental Protection Specialist

Ranger Mike Kuntz – (Area 1 - Lyon County)

Left descending bank between the canal and Barkley dam, and right descending bank from the northern shoreline of Eddy Creek to Barkley dam.

Ranger Brian Mangrum – (Area 2 - Lyon County)

Right descending bank from the south shoreline of Eddy Creek to the north shoreline of Hurricane Creek.

Ranger Jon Summers – (Area 3 - Trigg Co.)

Right descending bank from south shoreline of Hurricane Creek to the northern shoreline of Little River.

Ranger Richard Rice – (Area 4 - Trigg Co.)

Right descending bank from the southern shoreline of Little River to Cumberland River Mile 67.

Ranger Jeff Hancock – (Area 5 - Trigg Co. and Stewart Co., TN)

Right descending bank from Cumberland River Mile 67 to Cumberland City, TN.

Lake Barkley Website

Have a question about Lake Barkley? You can obtain information regarding a wide variety of topics relating to the lake at:

<http://www.lrn.usace.army.mil/op/bar/rec/>

Information on shoreline management, fishing, camping, and boating is offered. Take a look for yourself, it will become a favorite!



Resource Manager's Office
Lake Barkley
P.O. Box 218
Grand Rivers, Kentucky 42038

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Lake Barkley **Shoreline Management Plan Review**

The Lake Barkley Shoreline Management Plan (SMP) provides policies, based on regulations and public input, for the effective long-range management of the Lake Barkley's shoreline. The primary objective of this plan is to balance private shoreline uses with the protection and restoration of natural resources for present and future generations.

The Lake Barkley SMP is reviewed and revised on a five year schedule. In order to solicit public input for the next review, the Corps of Engineers will conduct public meetings in Eddyville and Cadiz, KY and Dover, TN sometime in January-February 2009. Everyone with an interest in the shoreline of Lake Barkley is welcome to attend these meetings and submit comments. You may also submit written comments up to 30 days following the meetings. Further information will be provided in the Fall/Winter 2008 Lake Casts.

**Lake Barkley's next
Shoreline Management
Plan Review
is scheduled for
Jan-Feb 2009.**