

SENATE JOINT RESOLUTION 132

By Beavers

A RESOLUTION relating to boat access above and below U.S. Army Corps of Engineers-owned lakes stemming from the Cumberland River in Kentucky and Tennessee.

WHEREAS, the Nashville District for the U.S. Army Corps of Engineers has announced new boat access restrictions above and below Barkley, Center Hill, Cheatham, Cordell Hull, Dale Hollow, J. Percy Priest, Laurel River, Martins Fork, Old Hickory, and Wolf Creek dams that affect the Cumberland River and its tributaries, including the Caney Fork River in Tennessee, to begin in June 2013; and

WHEREAS, this action negatively impacts boater access to major fisheries below and above dams on all of these dams in the Cumberland River system; and

WHEREAS, these waters are publicly-owned resources, and the fish therein are publicly-owned resources held in trust by the State of Tennessee for the citizens of our great state; and

WHEREAS, these areas support some of the highest fish catch rates and harvest in the Volunteer State, and anglers have enjoyed fishing these areas for over fifty years; and

WHEREAS, these areas represent both tourist and recreational attractions that translate to significant economic benefits for local communities and the state, the economic value of fishing below Lake Barkley is estimated to be over \$3 million annually; and

WHEREAS, these restrictions are now being implemented based on a 1996 policy (ER 1130-2-520) and based on bank full conditions with major spillway gates open, without recognition for either the current economic conditions or more normal water flow levels; and

WHEREAS, there has not been ample time and opportunity to allow for and consider input from other governmental officials, the public, and members of fishing, boating, tourism, and business communities, before the new restrictions are to be implemented; and

WHEREAS, historic safety data does not support the current proposal being implemented by the Nashville District for the U.S. Army Corps of Engineers to restrict boat access to these public waters of the Cumberland River system; and

WHEREAS, this General Assembly and the Tennessee Wildlife Resource Agency accepts that there are significant safety considerations below any dam due to the periodic turbulent conditions and reverse currents that are created especially during spillway gate openings, and therefore a balanced approach must prevail; and

WHEREAS, the Tennessee Wildlife Resources Agency currently enforces the Personal Flotation Device (PFD) requirement in the designated zone below the dams, and has reached out to the U.S. Army Corp of Engineers in an effort to seek an alternate approach for a compromise restricted area that recognizes both safety and the outstanding fishing and tourism opportunity in these areas; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the General Assembly of the State of Tennessee is hereby opposed to the current plan and policy of the U.S. Army Corp of Engineers, Nashville District that unnecessarily restricts boat anglers year-round from the major fisheries above and below Barkley, Center Hill, Cheatham, Cordell Hull, Dale Hollow, J. Percy Priest, Laurel River, Martins Fork, Old Hickory and Wolf Creek dams on the Cumberland River system.

BE IT FURTHER RESOLVED, that the General Assembly of the State of Tennessee calls on the Nashville District of the U.S. Army Corp of Engineers to hold the current plan in abeyance until alternative plans are investigated that promotes both boater safety and the outstanding fishing and tourism opportunity in these areas.

BE IT FURTHER RESOLVED, that the General Assembly of the State of Tennessee urges the Nashville U.S. Army Corps of Engineers to work with local communities and the Tennessee Wildlife Resources Agency with any endeavor to develop alternative safety methods.

BE IT FURTHER RESOLVED, that the Clerk of the Senate shall distribute a copy of this Resolution to the U.S. Army Corps of Engineers, Nashville District, the Tennessee Wildlife Resource Agency, and to each member of Tennessee's congressional delegation.