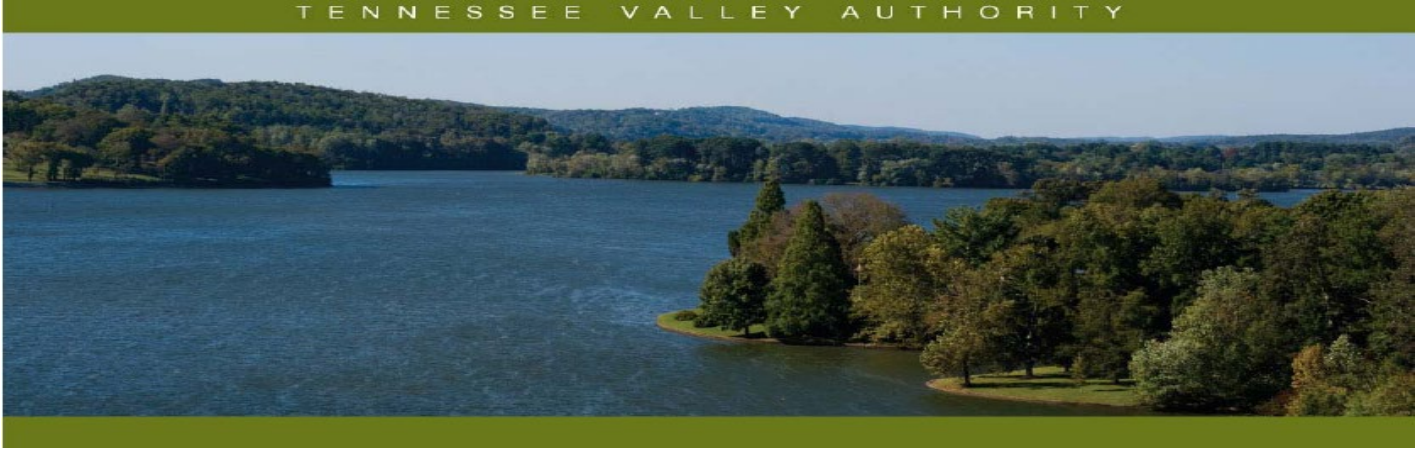




Tellico Reservoir Land Management Plan - Recreation Easements Frequently Asked Questions

What are private recreation easements?

Private recreation easements are unique to Tellico Reservoir, providing rights to apply for private water-use facilities where such rights did not previously exist. This ability to apply for water-use rights through an easement is only possible on Tellico due to the contract (TV-60000A) between TVA and the Tellico Reservoir Development Agency (TRDA). There are conditions that limit who can apply for a private recreation easement: 1) private property must abut those areas designated in the contract for open space, public use recreational, or residential purposes, and 2) adjoining private property must lie within 100' of the 820' contour (by survey). The qualifying applicant must pay fair market value of the access rights in addition to all administrative costs of TVA in processing the application.

How do I know if I qualify for a private recreation easement?

TVA has developed a TVA Easement Qualifier line for this purpose that can be viewed through the interactive maps or through downloadable maps. Please be aware that the TVA Easement Qualifier line is only an approximation of those lands meeting the above criteria. Any proposed location for a private recreation easement would need to be verified by the local TVA Regional Office and by a survey. A review may be initiated by contacting the Public Lands Information Center at plic@tva.com or 1-800-882-5263.

What is the process for applying for a private recreation easement?

1. When TVA receives an inquiry about a private recreation easement in a particular location, TVA will conduct an initial review of the property to determine if the property is eligible for consideration.
2. If eligible, the backlying private landowner submits a Land Use Application and a \$5000 initial application fee. Any administrative costs that exceed the initial application fee will be billed to the applicant on a monthly basis. TVA encourages applicants to submit a private survey to TVA at this time to verify that the proposed location meets the condition that the adjoining private property lies within 100' of the 820' contour. Any survey provided to TVA must meet TVA's survey standards, which will be provided after step 1 is completed. A request for a water-use facility may be submitted at the same time through a Section 26a Application. The review for a water-use facility will occur concurrently with the request for an easement.
3. TVA conducts an environmental and a programmatic review of the proposed easement area.
4. TVA requests approval through its executive management chain. The grant of the easement must be approved by the Chief Executive Officer (CEO).

5. The survey must be approved by TVA. After survey approval and approval by TVA's CEO, TVA will draft the private recreation easement and provide a draft to the applicant for review. At this point, the applicant must pay the fair market value of the access rights and any outstanding administrative costs. Once the applicant has reviewed the draft easement and paid fair market value and any administrative costs, TVA will execute the easement. The applicant can also be granted a Section 26a permit for a private water-use facility.

Why is a survey required?

A survey verifies that a piece of property meets the eligibility requirements for a private recreation easement approval. A private recreation easement is also a recordable instrument and a survey is required as part of that instrument.

Why do I have to pay for a private recreation easement? Why can't I have a dock without a private recreation easement?

The contract between TVA and TRDA, TV-60000A, specifies what properties are eligible for water-use facilities on Tellico Reservoir. Per the contract, eligible property owners who wish to apply for a private recreation easement are required to pay the appraised value of the easement. There are two other ways properties may be eligible for docks: 1) the adjoining private property owner has deeded access rights to request water-use facilities, or 2) the adjoining property was transferred to TRDA pursuant to Contract TV-60000A and meets the residential development terms of the Contract.

Do I need a recreation easement to access the water for fishing, hiking, etc.?

No, TVA public lands are accessible without a recreation easement for dispersed uses such as fishing from the bank, walking or hiking and picnicking. A recreation easement is required when the backlying land owner is requesting facilities or vegetation management on the TVA property.

What is the difference between the TVA Easement Qualifier line and the TRDA Easement Qualifier line?

The TRDA Easement Qualifier line only applies to Parcel 151. Most of the private property that is behind Parcel 151 has a narrow strip of TRDA land between the private property and TVA property. The private property owners in this area must have permission to cross TRDA's property before coming to TVA with a request or provide a survey to TVA showing that their private property directly adjoins TVA property.