

**FINAL**

**LAKE LYNN HYDROELECTRIC PROJECT**

**2012 Recreation Plan Update**

**FERC Project No. 2459 - License Article 417**

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**Allegheny Energy Supply Company**  
**(a FirstEnergy Company)**

***FirstEnergy***<sup>®</sup>

**June 1, 2012**

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## LIST OF ABBREVIATIONS, ACRONYMS, AND UNITS

ADA	American with Disabilities Act
AE	Allegheny Energy Supply Company, LLC
CLEAR	Cheat Lake Environment and Recreation Association
CFS	Cubic Feet Per Second
DOI	Department of Interior
EA	EA Engineering, Science, and Technology
EPA	Environmental Protection Agency
FE	FirstEnergy
FERC	Federal Energy Regulatory Commission
NGVD	National Geodetic Vertical Datum
NVA	Nature Viewing Area
PFBC	Pennsylvania Fish and Boat Commission
WVDEP	West Virginia Department of Environmental Protection
WVDNR	West Virginia Division of Natural Resources

## 1.0 INTRODUCTION

In accordance with the Federal Energy Regulatory Commission (FERC), “*Order Modifying and Approving Recreation Plan*”, dated April 11, 1997, Allegheny Energy Supply Company, LLC (AE), a FirstEnergy Company, is required to file the third recreation plan update for the Lake Lynn Hydroelectric Project by April 1, 2012. Because the recent merger of Allegheny Energy and FirstEnergy and other unforeseen circumstances resulted in delayed data collection and analysis, AE requested an extension to the filing date for the 2012 update. On May 17, 2012, FERC approved an extension of the filing date for June 1, 2012. This 2012 recreation plan update was prepared in accordance with the guidance listed in License Article 417 that identifies the type of information to be addressed in the plan update. A general description of the existing facilities is provided in Section 2 while the plan update information is provided in Section 3. Supporting documentation is provided in the Attachments I through IV.

## 2.0 RECREATION FACILITIES

AE developed a multi-purpose recreational facility encompassing 46 acres on the peninsula between the Rubles Run and Morgans Run embayments of Cheat Lake in order to preserve and enhance public utilization opportunities at the Lake Lynn Hydroelectric Project. This facility is located in Monongalia County, West Virginia, approximately 10 miles northeast of Morgantown, West Virginia. This multi-purpose recreational facility including Cheat Lake Park and the Cheat Lake Trail opened in June 2000 and is currently operated as day use facility, with the exception of nighttime fishing. In addition, AE provides fishing opportunities at the Lake Lynn Project’s tailrace area and provides a free boat launch in cooperation with a nearby marina on Cheat Lake. A map depicting the existing recreational facilities at the Lake Lynn Project is provided in Figure 1 and discussed in more detail in the following subsections.

### 2.1 Cheat Lake Park

Cheat Lake Park consists of a developed area primarily situated on a peninsula between two embayments (Rubles Run and Morgans Run) of Cheat Lake. Recreational facilities at Cheat Lake Park include a hilltop and shoreline picnic area, parking areas, a playground area, a nature viewing area, a car-top/winter boat launch, three restroom facilities, a security/maintenance station, day-use boat docks, a fish cleaning station, fishing platforms, and access to the Cheat Lake hiking and biking trail.

Cheat Lake Park is accessible from a paved parking area, which can accommodate up to 50 vehicles. A second gravel parking area also provides overflow parking for up to 30 vehicles. A paved roadway provides access from the parking and hilltop picnic area to the facilities along the shoreline of Cheat Lake. The roadway is wide enough to accommodate two-way traffic and pedestrians. A short-term and Americans with Disabilities Act (ADA) accessible parking area for car-top/winter boat launch, bicycle or picnic loading and unloading area is situated near the shoreline area. This parking area provides five parking spaces, without time restrictions, for the disabled.

A hillside loop provides access to a picnic area that consists of 19 picnicking sites, each with

its own table, fire ring grill and parking for two vehicles. One of these picnic sites includes handicapped accessible parking. In addition, the picnic area includes a restroom facility and 11 parking spaces, of which two are ADA accessible. A total of 29 picnic tables are situated within the picnic loop and at sites near the Lake.

Two courtesy docks, both ADA accessible at the normal recreational pool levels of 868 to 870 feet, are available for car-top boat users. One courtesy dock is located on the main body of the lake and the other in the Rubles Run embayment behind the new timber bridge structures, constructed to replace the old railway causeway. The courtesy dock that is located on Cheat Lake has been modified to provide winter access for motor boats from November 1 to March 31. This is described later in this document.

Two timber bridge structures constructed over the Morgan Run and Rubles Run embayments provide access to the 4.5-mile hiking/biking trail along the lakes edge, additional picnic areas, and added fishing access. The bridge structures at Rubles and Morgans Run both have a pavilion deck with picnic tables and a 200-foot long fishing platform, which provides access for fishermen. Both bridges at Morgan and Rubles Run have a 13-foot clearance when the lake is at maximum depth to allow most boaters access to the embayments. Although the bridge structures are intended for pedestrians only, they are capable of supporting emergency and maintenance vehicles weighing up to 10 tons.

Three restroom facilities have been constructed at the park. All of the restroom facilities have indoor lighting and a proper ventilation system for maximum comfort of park visitors. One is located at the peninsula and also provides office space for security and maintenance. The facility is located close to the children's play area. Public telephone service and a drinking fountain are located at this facility. The second restroom facility is located between the Morgan and Manning Run embayments. This provides a convenient location for boaters utilizing the 7 courtesy docks. A fish cleaning station has been installed for the public in order to provide a sanitary way of eliminating fish waste. The third restroom facility is located at the hilltop picnic area for use by picnickers. The hilltop and peninsula restroom facilities are both ADA accessible.

## **2.2 Hiking/Biking Trail**

The Cheat Lake Trail at Cheat Lake Park is a 4.5 mile hiking/biking trail that extends from a parking area near the Lake Lynn Hydroelectric Station to its southern terminus at the Cheat Haven Wildlife Habitat and Nature Viewing Area (NVA). The trail is 10-feet wide, constructed of compacted limestone fines, and ADA accessible. A parking lot near the substation at Lake Lynn Hydroelectric Project accommodates 15 vehicles. The trail can also be accessed from parking lots located at Cheat Lake Park. In 2010, AE designed and installed interpretive signs at several historical sites along Cheat Lake Trail which included a map of the trail and facilities at the Cheat Lake Park. Additionally, AE placed mile-markers every half-mile throughout the length of the trail.

In 1997, after consultation with the public and local property owners, AE filed a trail management plan with the FERC regarding public use of the trail. In the "*Order*

*Approving Trail Management Plan*” dated March 2, 1998, the FERC agreed that the trail is a day-use facility and that there would be no use of the trail during the winter months. In order to accommodate the FERC order, AE constructed a locked gate at the Mannings Run entrance to the trail. This permitted AE the ability to close the southern-most 3.1- mile section of the trail at dusk during the recreational season and the winter months. In response to public comments and pursuant to “*Order Amending Recreation Plan*” issued May 18, 2010, the FERC supported AE to conduct a one year trial in order to assess whether the southern section of the Cheat Lake Trail should be permanently opened for year round use during daylight hours. Following this trial period, AE decided to allow the southern section of the Cheat Lake Trail to remain open for year-round use during daylight hours; however, because of safety concerns, the trail may be closed temporarily if snow and/or ice are present or other hazardous conditions exist. The northernmost 1.4 mile section of Cheat Lake Trail, from the Lake Lynn Hydro Station to the park, also continues to be open year-round, as long as safe conditions exist. Additionally, following FERC’s recommendations in the “*Order Amending Recreation Plan*” issued May 28, 2010, AE agreed to inform hikers of trail closures by posting signs on the Morgan’s Run Bridge and posting any trail closures on the park website ([www.cheatlaketoday.com](http://www.cheatlaketoday.com)).



**Picture 1.** Interpretive Sign of Cheat Haven and Bruceton Railroad Site

### **2.3 Tailrace Recreation Area**

The tailrace recreation area at the Lake Lynn Hydroelectric Project provides a tailrace fishermen’s platform to enhance public utilization of the Cheat River below the dam for fishing. Access to this platform is provided from Lake Lynn Road along the river. A gravel parking area at the tailrace recreation area can accommodate approximately 20 vehicles, and includes two ADA accessible spaces. Both the fishing platform and parking area are illuminated. An ADA compliant pedestrian ramp connects the parking area with the fishing platform. The fishing platform can accommodate approximately 20 fishermen and has handrails constructed with barrier free cutouts to provide access for the disabled. The platform is

cantilevered over the water to reduce fish abrasion against the wall during landing. An existing roadway provides easy foot access from the parking lot to the riverbank. A portable ADA toilet has been provided for the public's convenience. To enhance public safety, visual and audible alarms are present to provide sufficient notification of flow increases from the hydroelectric facility and warn the public to exit the water. In addition to the fishing platform, eight rock pile structures were installed in September 2000 in order to provide fish habitat in the first river mile downstream of the tailrace.

## **2.4 Wildlife Habitat and Nature Viewing Areas (NVAs)**

Four significant portions of AE's project lands have been designated as NVAs. These areas are being preserved for undeveloped use and AE has no plans to develop these areas in the future. These areas include the following:

- 40 acres between Morgan and Manning Run embayments
- 140 acre Cheat Haven Peninsula
- 12 acre parcel across the lake from Cheat Haven- accessible by boat
- 25 acres Towers Run

The 140 acre Cheat Haven Peninsula area was designed to allow hikers to leave the hiking/biking trail and hike through the woods. Since the 2009 recreation plan update, AE has constructed a trail nearly 1 mile in length through the Cheat Haven NVA. AE also provided a bike rack and picnic table at the end of the trail for use by park visitors. In 2012 AE will also build a three-sided shelter at the end of the trail. AE believes the designated walking trail will aid in reducing habitat destruction in the nature viewing area.

The Towers Run area was identified in the original Recreational Plan as a hunting area. On October 7, 1997, the FERC issued an "*Order Approving Hunting Area Management Plan and Amending Recreation and Land Management Plan*" at the request of AE and local landowners. In that order, it was agreed by the FERC and West Virginia Division of Natural Resources (WVDNR) that the Towers Run area is not conducive to hunting because of the number of property owners and the small size of the parcel. Therefore, hunting continues to be prohibited in this area.

## **2.5 Privilege Permit Areas**

There are 214 privilege permits issued to lease plots at various locations around Cheat Lake. Each permit holder is responsible for the installation and maintenance of any boat docks and the property; however, permits must be approved by AE prior to any improvements being conducted at a privilege permit site. Currently, AE issues permits to property owners around the lake, if requested, for the parcel of land in front of their properties and on a limited basis to individuals that had requested a space on the lake for installing a dock for the purpose of lake access.

Currently there are thirty seven (37) privilege permits or licenses issued for leased plots, sometimes referred to as campsites. Twenty seven (27) of these campsites are located along the Trail, one of which has been dedicated to the CLEAR group. It has been determined that new



privilege permits or licenses will no longer be issued for leased plots or campsites.

## **2.6 Public Boat Launching Facility**

AE provides a free launching ramp and associated parking area for public use on Cheat Lake at Sunset Beach Marina. The parking area at Sunset Beach Marina is able to accommodate as up to 60 boat trailers at a time. This launch facility is available throughout the year when lake level is above 865' National Geodetic Vertical Datum (NGVD). During the winter months, AE can draw the lake down to 857' NGVD in accordance with the existing license. This drawdown typically only occurs during high inflow river conditions upstream that permits AE to operate the Lake Lynn Hydroelectric Project. During the recreation season, current lake level conditions and the station's prediction of its' daily operations are reported on a website ([www.cheatlaketoday.com](http://www.cheatlaketoday.com)) and available to the public.

During the recreation season, the lake level is maintained such that navigation is not affected by AE's operation. During the winter months, if the lake level is drawn down to the 857' NGVD elevation for power generation, there could be a problem with navigation in the lake due to shallow water near the Ices Ferry Bridge, embayments, and possibly several other locations around the lake. However, most boaters utilizing the lake in the winter are typically familiar with these conditions and would avoid shallow areas. A winter boat launch is available for use from November 1 through March 31 at Cheat Lake Park for those periods when the lake level is below 865' NGVD. AE maintains that this boat launch remains available only during winter months in order to preserve the aesthetics of the park and the lack of adequate parking for boat trailers during summer months.

## **2.7 Maintenance of Lake Levels**

In accordance with the FERC License Article 403, AE maintains the surface elevation at the following levels throughout the year:

- During the recreational season from May 1 through October 31, the surface elevation is maintained between 868' and 870' NGVD.
- During the off-season from November 1 through March 31, the surface elevation is maintained between 857' and 870' NGVD.
- For the month of April, surface elevation is maintained between 863' and 870' NGVD.

The minimum and maximum surface elevations may be temporarily modified if required by operating emergencies and for short periods for project maintenance. AE must provide adequate notification to the FERC and the WVDNR within 10 days if the lake level is modified from the above procedure. Fluctuating lake levels during April will be minimized to the extent possible. The purpose for lowering the lake to the 863' elevation is to help lessen the impacts to the habitat downstream during spring flooding and for the purpose of utilizing the available water resources. In addition to notifying the agencies, AE also provides notification to the marinas if the lake is lowered below 868' during the recreational season and to the Albert Gallatin Water Company if the lake is lowered to 861' at any time during the year.

## **2.8 Minimum Flows to the Lower Cheat River**

In accordance with the FERC License Article 404, AE releases a minimum flow of 212 cubic feet per second (cfs), or inflow to the project reservoir, whichever is less. During extremely low flow periods, AE provides an absolute minimum flow of 100 cfs. When the lake level is decreasing, AE cannot reduce the minimum flow by increments greater than 25 cfs per hour in order to achieve a stable reservoir water level.

The minimum flow release can be temporarily modified if required by operating emergencies beyond control of AE and for short periods upon agreement of the West Virginia Department of Environmental Protection (WVDEP). If modified, AE must notify the FERC and the WVDEP within 10 days.

## **2.9 Security and Maintenance**

AE contracts a private security firm to provide security at the facility. Park security personnel are on-duty at the facility during the recreation season for 16 hours a day and seven days a week. During the winter months security is reduced to 10 hours a day due to the reduced recreation usage. Typical maintenance at the facilities is provided by a contract with Pace Tec, which handles the day to day cleaning, mowing, and minor repairs from April 1 to September 30. Security personnel handle minor cleaning and maintenance tasks (e.g. trash pick-up) during the off-season. If major construction repairs are required, AE contracts this work with one of its approved contractors.

## **3.0 TRIENNIAL RECREATIONAL PLAN UPDATE**

The FERC license for operation of the Lake Lynn Hydroelectric Project requires AE to file an update to the recreational plan every three years. The update is prepared based on an evaluation of facility usage data and in consultation with numerous agencies and stakeholder groups. The following sections discuss each of the areas that AE is requested to address in the update.

### **3.1 Recreational Use Study Methodology**

Data on use for the Project recreation facilities was collected during the 2009, 2010, and 2011 recreation seasons. Recreation use data was collected during weekday, non-peak weekends, and peak weekends by park security, Lake Lynn Project staff, and the manager of Sunset Beach Marina. With the exception of the tailrace fishing area, recreation use data was collected daily at the Project recreation facilities; once during morning and early afternoon hours (approximately 8 am – 2pm) and once between afternoon and early evening hours (approximately 2pm – 8 pm). At the tailrace fishing area, Lake Lynn Project staff collected recreation use data twice daily including during morning and evening hours, coinciding with the times when peak recreation use occurs at this specific facility. All data was collected on datasheets specific to the area of the survey. During all recreation surveys, no adjustments were made to compensate for visitors that arrive or leave between the data collection times. Additionally, counts consisted only of the number of people who could actually be seen at the time of the survey, and did not include assumed recreation use or the number of parked cars. However, any recreation use not observed during the survey or observations of unusual levels

of use (e.g. large groups that visited at some other time of day, special events, or inclement weather conditions) were recorded in the comments section of the datasheets.

### **3.2 Recreation Data Results and Adequacy of Facilities**

A summary of the recreation use data collected at the Lake Lynn Hydroelectric Project recreation facilities is provided in Attachment II. The areas surveyed include Cheat Lake Park area, the tailrace recreation area, and the Sunset Beach Marina. Because of unforeseen events, no data was collected for recreation use at Sunset Beach Marina in 2011. Discussions with the manager of Sunset Beach Marina indicated that overall use of the boat launch was lower in 2011 than previous years, likely attributed to above average precipitation in the area during weekends. To provide a conservative estimate of recreation use at Sunset Beach Marina for 2011, AE incorporated the results of the recreation data collected in 2010. Over the past three years, recreation use data indicates a decreasing trend in total recreation use at the Project recreation facilities. It is estimated that a total of 35,600 visitors used the facilities in 2009, 33,833 in 2010, and 29,942 in 2011 (Table 1; Figure 2). Total recreational usage was highest during the 2009 recreation season and lowest during the 2011 recreation season. However, compared to the last triennial recreation plan update that included use for 2006-2008, recreation usage in the 2009-2011 showed an overall increase. Total non-peak weekend usage range from 12,157 to 15,401 and was highest in the 2009 recreation season (Table 2; Figure 2). Total peak weekend usage ranged from 2,346 to 4,456 and was highest in the 2010 recreation season (Table 3; Figure 2).

The areas with the highest recreation usage in the Cheat Lake area include the hiking/biking trail, the boat launch at Sunset Beach Marina, fishing from boats in Cheat Lake, and the playground area. The area with the highest usage in the tailrace fishing area continued to be fishing from the access platform. Generally, the recreation facilities during 2009-2011 with the lowest usage were the picnic area at the Cheat Lake Park and fishing from boats in the tailrace area. Usage of the hiking/biking trail for all recreation days ranged from 12,323 to 17,540 and was highest in 2009 and lowest in 2011 (Figure 3). Usage of the hiking/biking trail during non-peak and peak weekends was highest in 2010 and lowest in 2009 (Figure 3). Usage of the boat launch at Sunset Beach Marina for all recreation days ranged from 3,979 to 5,257 and was highest in 2009 (Figure 4). Usage of the Sunset Beach Marina during non-peak weekends ranged from around 1,456 to 2,154 and was similar for all three years, usage during peak weekends ranged from 577 to 598 and was also similar for all three years (Figure 4).

Recreation use of the entire tailrace fishing area (not including parking) in the 2009-2011 period decreased from the last triennial recreation plan update (Figure 5). Usage for 2009-2011 in the Tailrace Fishing area for total recreation days ranged from 595 to 779, with the lowest usage in 2010, and similarly higher usage in 2009 and 2011. Usage during non-peak weekends ranged from 249 to 289 and was similar for all three years. Usage during peak weekend ranged from 27 to 57 and was lowest during 2010 (Figure 5).

Most of the Lake Lynn Hydroelectric Project recreation facilities continue to be used at less than 50 percent capacity for off-peak weekend days. The playground area is currently being used at capacity or 50 percent capacity during the off-peak weekend days. Maximum capacity

usage at the playground area is estimated to be 20 persons per observation; however, the current survey method includes all people inside the playground area and its surroundings. In the future, AE will differentiate between people inside and outside the playground area.

Based on the current review of the facilities and usage numbers generated in 2009, 2010 and 2011 AE believes that the existing facilities as operated are adequate to meet the current demonstrated demand for recreational use at the Project and comply with the Recreation and Land Management Plan issued in June 1995.

### **3.3 Proposed Changes**

As previously stated, the recreational facilities provided are meeting the demonstrated demand for the general use for this area. Based on an evaluation of the usage figures the facilities are adequate for non-peak period demand. AE will continue to monitor usage to determine if any changes are warranted; however, at this time, no changes to the type, access and operation of facilities is proposed in this update.

### **3.4 Agency Consultation/Public Meeting**

As identified in the license, AE has and will continue to meet and consult with appropriate agencies regarding use of the facilities. As part of this recreation plan update, AE undertook the following steps to solicit agency input:

- Prepared and distributed a draft of the 2012 recreation plan update for comment
- Provided a copy of the draft recreation plan update and offer/request formal consultation with the Department of Interior (DOI), the WVDNR, and the Pennsylvania Fish and Boat Commission (PFBC).

After distribution of the 2012 draft recreation plan update, AE held a public meeting at the Cheat Lake Fire Hall on April 17, 2012. A copy of the meeting minutes are provided in Attachment III. All received comments and AE's response to these comments concerning the recreation plan update are provided in Attachment IV.

### **3.5 Project Specific Issues per Article 417**

Article 417 requires that the recreational plan update consider project-specific issues. FERC's letter dated May 18, 2010; Attachment I describes those issues that need to be addressed as part of this update, described below.

#### **3.5.1 Recreation Trails, Safety and Security**

The southern section of Cheat Lake Trail in the Cheat Haven area is a day use facility and is closed at night for local residents' security, as well as concern for the safety of the individual hiker. Until recently, the southern section of Cheat Lake Trail had been closed during the winter

period due to safety concerns associated with snow and/or ice. However, following public comments and the FERC's request pursuant to "*Order Amending Recreation Plan*" issued May 18, 2010, AE agreed to open the trail year round during daytime hours for a trial period. Following this trial period, AE opened the southern section of Cheat Lake Trail for year round use during daylight hours, weather permitting. Still, the trail may be closed at times if public safety issues arise.

During both the current recreation plan update and the plan update in 2009, public commenters requested that AE develop a connector trail from the existing Cheat Lake Trail to the Sheepskin Trail. Currently, the planned extension of the Sheepskin Trail to the Cheat Lake Trail has not been constructed; however, AE maintains that, if and when, the Sheepskin Trail is constructed near the Project, AE, with approval from FERC, would work with trail developers in providing access from the Lake Lynn/Bunker Hill Road to the Cheat Lake Trail.

In the 2009 recreation plan update, AE indicated that five lake observation platforms in the hiking/biking trail were removed due to safety concerns arising from vandalism and improper use. Several of the stairways leading to the lake observation platforms were rendered unsafe due to shoreline shifting and were also removed. Since the removal of the lake observation platforms, AE has not received complaints from the public. In regards to the removal of these platforms, AE initially agreed to install one new stationary access dock at the southern end of the hiking/biking trail; however, because of hillside stabilization issues at the location, the dock was not installed. Instead, an existing dock, approximately half a mile north of this location, was assigned to the Cheat Lake Environment and Recreation Association (CLEAR) at no annual cost to be used for public boat access to the area.

### **3.5.2 Boating and Navigation**

As stated in the June 26, 2006 Recreation Plan Update, WVDNR constructed a ramp in order to allow their personnel and contractors to access the lake for the purpose of performing biological studies. The general public is also welcome to use this launch during the winter season. The existing car-top launch in the main body of the lake was widened to allow trailers to back into the launch for motorized boat unloading. This is for winter use only and all boaters will be required to use the free launch at Sunset Beach Marina during the peak recreation season from April 1 through October 31.

### **3.5.3 Swimming**

Pursuant to the FERC's February 12, 2007 response to the 2006 Recreation Plan Update and the March 31, 2008 FERC "*Order Amending the Recreation Plan*", swimming had not been permitted in Cheat Lake. However, in response to public requests during the 2009 recreation plan updated and following "Amendment to Recreation Plan License Article 471", AE now permits swimming in the lake under a "swim at your own risk" policy. In response to public comments, in April 2010, AE constructed a "swim at your own risk" area near the public access docks (Figure 1). This "swim at your own risk area" is approximately 200 feet long and 15 feet wide, and is roped off for swimming. Additionally, AE placed two picnic tables in the swimming area for use by park visitors. In response to comments received during the April 17,

2012 public meeting, AE has agreed to increase the number of picnic tables in the designated swim area. Certain areas remain under a “No Swimming” designation (Figure 1).



**Picture 2.** Developed “Swim at Your Own Risk” Area

#### **3.5.4 Camping**

In the original Recreation Plan, there was a proposal to construct 10 primitive campsites behind the day-use boat docks. After further evaluation, AE did not construct the 10 primitive campsites. AE had concerns with individuals possibly spending up to 5 continuous days in the Park areas. In addition to security issues, AE was also concerned about the possibility of fires in the area, aesthetics, and the possible use of this area for local parties. In an effort to maintain a safe and aesthetic environment at the park, AE elected not to develop the campsites and is not recommending any changes in this recreation plan update. The wooded area set aside for this purpose is used as a nature viewing area during the recreational season. On March 31, 2008 the FERC approved the amendment to the recreation plan to remove the primitive campsites from the Cheat Lake Park facility.

#### **3.5.5 Other**

As identified in Section 2.5, there are 214 privilege permits issued to lease plots at various locations around the Lake. In the “*Order Amending Recreation Plan*” issued May 18, 2010, the FERC requested that annual statistics on privileged permit sites be reported on the exact number of sites, numbers of year each site has been leased by the same individual or family, and the charge made by AE for each site. The majority of permit sites are issued to property owners around Cheat Lake for lake access and docking facilities. Thirty seven permits are for campsites, one of which is dedicated for the CLEAR group. There is one vacated campsite. AE also surveyed the privileged permit sites and informed lessees with substandard appearances of the sites or waterside structures to improve the sites and structures. Due to concerns for lack of sanitation facilities at permit sites and the detraction from aesthetics along the Cheat Lake Trail, AE determined it will no longer issue new privilege permits for campsites at Cheat Lake.

#### 4.0 SUMMARY/CONCLUSIONS

From 2009 to 2011, AE conducted recreation surveys at Cheat Lake Park, the tailrace recreation area, and the Sunset Beach Marina to estimate utilization of the recreation facilities provided at the Lake Lynn Hydroelectric Project. Results of the recreation surveys from the past three years indicated annual use of the recreation facilities at the Lake Lynn Hydroelectric Project ranged from 29,242 to 35,600 recreation days. Compared to the last triennial recreation plan update for 2006-2008, recreation usage in the 2009-2011 showed an overall increase. The areas with the highest recreation usage in the Cheat Lake area include the hiking/biking trail, the boat launch at Sunset Beach Marina, fishing from boats in Cheat Lake, and the playground area. Recreation use of the entire tailrace fishing area in the 2009-2011 period decreased from the last triennial recreation plan update, although the decrease was not substantial. Overall, most of the recreation facilities continue to be used at less than 50 percent capacity for off-peak weekend days. The playground area was found to be used at over capacity in some cases; however, this finding was a result of an error in the data reporting methods which counted both persons utilizing the playground and bystanders adjacent to the playground area. Reporting methods in future updates will be modified to address this issue. Based on review of recreation facility usage numbers generated in 2009, 2010 and 2011 AE believes that the existing facilities as operated are adequate to meet the current demonstrated demand for recreational use at the Project and comply with the Recreation and Land Management Plan issued in June 1995

In response to public requests during the 2009 recreation plan updated AE now permits swimming at Cheat Lake Park under a “swim at your own risk” policy. Additionally, AE constructed a designated “swim at your own risk” beach area in April 2010. In response to comments from the public meeting, AE has agreed to increase the number of picnic tables in the designated beach area.

Since the 2009 update, AE conducted a one year trial assessing the year-round use of the southern section of the Cheat Lake Trail during daylight hours. Following this trial period, AE decided to allow the southern section of the Cheat Lake Trail to remain open for year-round use during daylight hours; however, AE maintains because of safety concerns, the trail may be closed temporarily if hazardous site conditions exist.

In 2010, AE constructed a nature viewing trail nearly 1 mile in length through the Cheat Haven NVA. AE also provided a bike rack and picnic table at the end of the trail for use by park visitors. AE has also agreed to build a three-sided shelter at the end of the trail in 2012.

Pursuant to FERC's recommendations in the “*Order Amending Recreation Plan*” issued May 28, 2010, AE now informs hikers of trail closures by posting signs on the Morgan’s Run Bridge and posting any trail closures on the park website. In response to comments received at the April 17, 2012 public meeting AE has also agreed to update all trail signs, maps, and the website to reflect the changes to recreation facilities at Cheat Lake Park. Additionally, AE has agreed to request permission from the West Virginia Department of Transportation for installation of a sign advertising the park at the intersection of Morgan’s Run Road and WV Route 857 in 2012.

Because of hillside stabilization issues at the southern terminus of the Cheat Lake Trail, AE

did not install a new dock at this location. Instead, an existing dock, approximately half a mile north of this location, was assigned to CLEAR at no annual cost to be used for public boat access to the area.

In response to public comments requesting that AE provide a connector trail from the existing Cheat Lake Trail to the Sheepskin Trail; AE maintains that although the planned extension of the Sheepskin Trail to the Cheat Lake Trail has not been constructed; that, if and when, the Sheepskin Trail is constructed near the Project, AE, with approval from FERC, would work with trail developers in providing access from the Lake Lynn/Bunker Hill Road to the Cheat Lake Trail.

Because of the lack of adequate sanitation facilities and detracting from the aesthetics at the Park resulting from privilege permit campsite plots at Cheat Lake, AE has determined it will no longer issue new permits for these leased campsite areas. AE will continue to provide privilege permits to property owners along the lake shoreline.

In response to comments received during the April 17, 2012 public meeting, AE plans to attend an annual public meeting hosted by CLEAR.