

Policy Governing Floating Houses on the TVA Reservoir System

The Tennessee Valley Authority (TVA) has been charged by Congress with management of the Tennessee River and its tributaries to improve navigation, reduce floods, and, to the extent consistent with these purposes, for the generation of electricity. In response to this charge, TVA created and manages a reservoir system that encompasses more than 11,000 miles of shoreline and 600,000 acres of water. This system consists of 49 dams, most of which were constructed by TVA itself. These vast public projects provide a 650-mile navigational channel, regulate water flows to reduce flood risks, and produce other benefits for the public including recreation and water supply. The TVA reservoir system is both an economic catalyst for the Tennessee Valley region and the foundation for the quality of life that many Valley residents enjoy.

Vigilance is required to ensure that the public will continue to benefit from its investment in the reservoir system. In 1971, the TVA Board decided that the mooring of nonnavigable houseboats on TVA's reservoirs converted public waters under TVA's management to private use. TVA prohibited the mooring of additional nonnavigable houseboats on the system. This prohibition was reaffirmed by the Board in 1978. Subsequently, a new type of nonnavigable houseboat is being moored on the reservoir system, floating houses. These structures may have some of the attributes of real watercraft, but they in fact are a modern version of the older nonnavigable houseboats that TVA has long prohibited. The primary purpose of floating houses is habitation at a fixed location.

Floating houses occupy public waters, pose navigational risks both with respect to how they are moored to the shoreline and if they become unmoored, and discharge wastewater that contributes to water quality deterioration. Their electrical connections can pose electrocution risks. Floating houses, however, represent substantial economic investments by owners and can provide income to their owners and to marinas where they are moored.

As steward of the Tennessee River system, TVA must reaffirm its policy prohibiting the mooring of nonnavigable structures on its reservoirs, take other steps to protect the public's use of the TVA reservoir system, and stop the spread of floating houses.

Policy

The mooring of new floating houses and other nonnavigable structures used primarily for habitation on the TVA reservoir system is prohibited from the issuance date of this policy. All floating houses, including previously permitted nonnavigable houseboats, must be removed from the TVA system no later than 30 years after the issuance of this policy. TVA reaffirms its earlier determinations that these structures primarily benefit their owners at the expense of the public's right to use and enjoy the public waters that TVA manages. A 30-year sunset period appropriately mitigates the potential impact on owners and marina operators.

In the interim, the owners of nonnavigable houseboats that have been previously permitted must ensure that they comply with their permits. Owners of existing floating houses must obtain permits from TVA and meet standards that TVA will establish by regulation to ensure safer mooring, electrical connections, and protection of water quality. Failure to comply with permit requirements or applicable standards will result in revocation of permits and the required removal of structures from the TVA reservoir system.

To secure the resources needed to enforce TVA's permit requirements and new standards and to ensure that these structures are appropriately removed from the reservoirs at the end of the sunset period, staff is directed to institute an appropriate cost recovery program applicable to floating houses and non-navigable houseboats.