

## Managing, Protecting, and Responsible Use of Our Highland Community Lakes

### Guidance from the Lakes and Trails Committee

Our Highland Community lakes offer members a variety of outdoor recreational opportunities, including fishing, boating, wildlife viewing, and just plain relaxing and enjoying the outdoors. Being on and around streams and lakes is always a great way to unwind and recharge your batteries. Our lakes, their shorelines, and surrounding terrestrial habitat are home to dozens of species of plants, fish, wildlife, and aquatic life that depend on clean water and adequate habitat to live and thrive. Just some of the reptiles, amphibians, fish, birds, and mammals that call this area home: box turtle, red-bellied cooter, and painted turtle; American toad, spring peeper, pickerel frog, and bull frog; largemouth bass, bluegill, black crappie, and chain pickerel; pileated woodpecker, red-tailed hawk, wild turkey, hooded merganser, wood duck, king fisher, great blue heron, and bald eagle; raccoon, deer, river otter, and beaver. **Because of the recreational opportunities and critical fish and wildlife habitat found in our Highlands Community, it is essential that all of us do what we can to manage and protect these valuable water, plant, and wildlife resources.**

It is important to understand that Highland Lake and Lake Margaret are man-made impoundments, created by building a dam on streams that flow year-around (perennial streams), First Branch and Second Branch, respectively. So, it is important to realize that the land around and under these streams and lakes may be privately owned or owned by the Highland Association, but **the waters of these streams and lakes are considered State Waters and therefore state laws and regulations apply.**

The following is a compilation of State and County laws and regulations, Highlands Association covenants and regulations, and additional guidance to help each of us meet our obligation to be good stewards of these important natural resources.

#### **General**

- **The Lakes shall be used only for the purpose of boating, sailing, canoeing, fishing, ice skating or similar recreational uses.** So, no hunting or trapping is allowed on the Lakes, unless trapping is part of a Lakes & Trails Committee wildlife management plan approved by the Board. No one can discharge a firearm on or over our Lakes (a Chesterfield County ordinance forbids the discharge of a firearm within 600' of a dwelling).
- Access to and use of the Lakes shall be limited to the members of the Association and their immediate families, hereby described as being those persons residing on the premises, domestic help excluded (except when functioning in official capacity for employers), and their guests. Owners must be present when guests are using the Lakes both from the shore and in a boat. Guests shall be permitted use of the Lakes only when personally accompanied by persons who are members of the Association, or a member of the immediate family as described above.
- Use of the Lakes shall be limited to daylight hours, generally from sunrise to sunset.
- No bottles, trash, cans, garbage, leaves, brush, tree limbs, logs, felled timber, debris, or refuse of any kind or description shall be put or placed on or into the Lakes and streams.

Whenever we have significant rain events, muddy water flows into the lakes and a lot of the mud (sediment) settles out in the Lakes before the water flows over the dam spillways. So, **over the years, as these impoundments “age”, they are “filling-in” and becoming increasingly shallow,** particularly noticeable at the upper ends of these lakes where the streams flow into the lakes. Lakes often become so shallow that they either become marshes or must be dredged to maintain any open, deeper water; dredging itself is extremely expensive, causes significant destruction of habitat and species, and can lead to years of habitat recovery. It is a last resort option. Therefore, **it is very important that we do not throw anything into the lakes (particularly leaves, brush, tree limbs, logs, felled timber, debris) that will speed up this “aging” process by adding to the lake bottom substrate and increasing shallow water areas.**

If any Association member wants to put fish attracting structures in the Lakes to “improve” fish habitat, please contact the Highlands Community Association’s Lakes and Trails Committee first, so that the Committee can work with you to discuss the need and then the type of structure best suited to meet the need. There are many options for developing fish habitat in our Lakes but there are also potential negative effects that need to be considered.

- Each owner shall keep their land adjoining the Lakes and streams neat, clean, and free of trash, debris, and any unsightly items.
- **No chemicals, fertilizers, herbicides (including aquatic herbicides), insecticides should be put into the Lakes or streams.**

For those lake and stream front landowners that have **lawns in close proximity to the lakes or streams,** you should **try to reduce the amount of fertilizer used on these lawns.** Most urban lawns are over fertilized and excess fertilizer can runoff into the lakes and streams, which could lead to increased growth and spread of unwanted aquatic plants and cause toxic algae blooms that can be harmful to aquatic and terrestrial life.

If **lakefront property owners** are bothered by aquatic plants (weeds) along the shoreline of their property or in the Lakes in general, they **should never take matters into their own hands and treat the water or shoreline plants/weeds using terrestrial or aquatic herbicides.** Please contact the Highlands Community Association’s Lakes and Trails Committee first so that the Committee can work with you to determine the extent of the problem (a certain amount of aquatic plants is good for the Lakes) and develop any possible solutions that would be best for the well-being of the Lakes and the fish and wildlife in and around the Lakes; chemicals put into our Lakes could cause long-term environmental and aquatic habitat damage, and even cause fish and aquatic wildlife kills.

- **No pier, net, stake, line, or other structure shall be constructed on or in any way maintained within the Lakes except with prior approval of the Highland Community Association’s Architectural Control Committee.** No dock will be allowed to extend more than 15’ from the normal shoreline of the Lakes and exceed more than 150 square feet of total area. Prior to construction of any dock or shoreline structure, property owners and their contractors must also have a Building Permit from the Chesterfield County Department of

Building Inspections, that includes approval of a Water Quality Impact Assessment of the Resource Protection Area (RPA), conducted by Chesterfield County Environmental Engineering.

If you are a lakefront property owner then you know that our Lakes have a Chesapeake Bay Preservation Act Resource Protection Area (RPA), a 100-foot corridor of environmentally sensitive lands running along the banks and shorelines of streams and lakes. “In their natural condition, RPAs help protect water quality, prevent erosion, filter pollutants, and reduce the volume of stormwater runoff”. These corridors of land run through privately owned property but are co-managed with Chesterfield County Environment Engineering. Improvements in the RPA that require prior approval from Chesterfield County: construction or installation of structures that require a building permit; clearing or pruning vegetation; removing trees and shrubs; creating paths, driveways, and roads; and shoreline erosion projects. For more information go to [www.chesterfield.gov/RPA](http://www.chesterfield.gov/RPA) or call 804-748-1035.

- No private property owners shall pump or otherwise take water from the Lakes or streams.
- No commercial use shall be made, nor shall anything be done, on or about the Lakes, that may be or become an annoyance or nuisance to the owner(s) of property adjacent to the Lakes, such as drunkenness, rowdiness, disorderly conduct, or loud music.
- No alcoholic beverages shall be consumed on the Lakes.
- No domesticated waterfowl or livestock shall have access to, be set upon, or maintained on the Lakes and streams.
- It is unlawful to take, possess, import, cause to be imported, export, cause to be exported, buy, sell, offer for sale, or liberate within the Commonwealth any wild animal unless otherwise specifically permitted by law; for more details go to [www.dwr.virginia.gov](http://www.dwr.virginia.gov). The release of wildlife that have been held in captivity for any length of time, poses a threat to existing wildlife; captive wildlife may carry diseases that could be introduced into wild populations and exotic or non-native animals can prey on, out compete, or totally displace native species.
- **No live fish, amphibians, or reptiles shall be released, set free, or stocked into the Lakes and streams.** Live fish caught from the Lakes while fishing can be immediately released back into the lakes (catch and release fishing) and live fish may be stocked into the Lakes as part of a Lakes and Trails Committee fisheries management plan approved by the Board.
- **Transfer and unauthorized release of fish into Virginia’s rivers and lakes is illegal.** Unauthorized introduction (i.e., stocking) of fish or wildlife, including game, bait, and aquarium species, into new waters can harm the environment and destroy fisheries. Releasing exotic or potentially harmful species is illegal: Alabama bass, an invasive species that out-competes largemouth bass and hybridizes with smallmouth bass, directly harming these important and popular resources; blue catfish, which are overabundant in our tidal rivers, with ongoing efforts to reduce their abundance; flathead catfish, native to the Upper Tennessee River, Big Sandy River, and New River drainages in Virginia, prey on other fish species almost from the time they hatch; northern snakeheads, which are exotics from Asia, with unknown impacts on other species; minnows released from bait buckets, which can out-compete native species and/or disrupt spawning of important species; rusty crayfish, which

can destroy aquatic vegetation used as nursery habitat by game fish; zebra or quagga mussels, and New Zealand mud snails; all invasive exotic mollusks that may be easily and accidentally transported on or in boats, trailers, bait buckets, waders, or other fishing equipment; and hydrilla, Eurasian milfoil, and water chestnut; many exotic invasive aquatic plants are easily transported on boats and trailers. Many introduced species cause significant and irreversible damage, but their long-term impacts may not be recognized until the population is established and eradication is impossible. You can help by:

- Stop Aquatic Hitchhikers! Carefully inspect your boat, trailer, and equipment every time you launch or retrieve your boat, and every time you fish a new waterbody.
- **Clean, Drain, and Dry! When leaving a waterbody, it is required that all aquatic vegetation be removed from the vessel, trailer, and equipment. Water drain plugs from bilges must be removed when leaving a waterbody, and boat operators should take reasonable measures to dry livewells, baitwells, and ballast tanks.**
- Remember that some of the most destructive invasive species (e.g., zebra mussels or didymo) can survive and spread from INSIDE your boat engine, live wells, bilge, coolers, waders, or other recreational gear.
- **Destroy, or hold for future use, any unused live bait.**
- All Virginia Wildlife, Inland Fisheries, and Boating laws and regulations shall apply to the use of the Lakes; for more details go to [www.dwr.virginia.gov](http://www.dwr.virginia.gov).

## **Fishing**

- Virginia freshwater fishing regulations, fishing license information, and much more freshwater fishing information can be found at the following website: [www.dwr.virginia.gov/fishing/](http://www.dwr.virginia.gov/fishing/). The following are some regulations that apply to our Lakes.
- **Fishing in our Lakes must be by angling with a hook and line attached to rod and reel.** The use of nets, seines, trot lines, jug lines, and set poles to take game fish is prohibited, except a hand landing net may be used to land fish legally hooked in our Lakes. And snagging, snaring, grabbing, gigging, and bow and arrow are not legal methods to take game fish in our Lakes.
- **Essentially all fishing on inland waters requires a freshwater fishing license if you are 16 years of age or older (there are some exceptions** and there may be several license options, for more details go to [www.dwr.virginia.gov/fishing/regulations/](http://www.dwr.virginia.gov/fishing/regulations/)). One exception of note: Resident or nonresident landowners, their spouses, their children and grandchildren and the spouses of such children and grandchildren, or the landowner's parents, resident or nonresident, do not need a license to fish from the shoreline within the boundaries of their own lands. **But if you do meet the requirements to have a fishing license and you are out in a boat fishing or fishing from property owned by someone else or some other entity, then you are required to have a fishing license and carry it with you;** remember the waters are owned by the state, so state laws and regulations apply.
- Everyone required to have a fishing license must carry such license with them (electronic copy, printed paper, or annual hard card) and show the license immediately upon request of any officer whose duty it is to enforce the inland fish laws.
- Many anglers today only practice catch and release fishing (best practices for catch and release fishing can also be found at [www.dwr.virginia.gov/fishing/regulations/](http://www.dwr.virginia.gov/fishing/regulations/)). However, there

are those that want to occasionally keep some fish, and they should know that it is unlawful to have more than the daily creel limit of any fish in possession while afield or on the waters. The daily creel limit includes live possession; some daily creel limits for species commonly caught in our Lakes: largemouth bass – 5/day; bluegill (bream) and other sunfish – 50/day in aggregate (combined); crappie (black and white) - 25/day in aggregate (combined); chain pickerel – 5/day.

## **Boating**

- Virginia boating laws and regulations can be found at the following website: [www.dwr.virginia.gov/boating](http://www.dwr.virginia.gov/boating). The following are just some regulations and Association covenants that apply to our Lakes.
- **Watercraft having a length of more than 18 feet shall not be permitted on the Lakes.** No boat, watercraft, or floatation device shall be anchored or stored on the Lakes.
- **No watercraft with a gasoline-powered or internal combustion engine, either outboard or inboard, shall be permitted to use the Lakes. Watercraft with an electric motor shall be permitted to use the Lakes provided the maximum voltage of such electric motor does not exceed 12 volts.**
- A **Certificate of Title and a Certificate of Number (Registration) are required for all watercraft propelled by electric motors**; for details about displaying registration decals and numbers, please refer to the Virginia Boat Registration and Titling laws and regulations section found at [www.dwr.virginia.gov/boating](http://www.dwr.virginia.gov/boating).
- **There must be one wearable U.S. Coast Guard approved life jacket for each person on all boats, including paddle craft (canoes, kayaks, and stand-up paddleboards).** Each life jacket needs to be in good and serviceable condition. Each life jacket should be of the proper fit for each passenger on board. Life jackets need to be worn according to the manufacturer's label in order to meet safety requirements. Each required wearable life jacket needs to be readily accessible if not worn. Readily accessible means the life jackets are out in the open or where they can be reached easily and quickly. Life jackets may not be in protective coverings or under lock and key.
- Boats 16 feet or greater (remember that boats on our Lakes can be up to 18 feet) must also have a throwable device and a number of other potential equipment items depending the type of boat and areas of use (again for more details see equipment requirements in the Virginia's Boaters Guide at [www.dwr.virginia.gov/boating](http://www.dwr.virginia.gov/boating)). Throwable devices must be immediately available. Immediately available means that the throwable device shall be quickly reachable in an emergency situation and cannot be in a protective covering in a closed compartment or under equipment.
- Remember many introduced species cause significant and irreversible damage; again, please apply the new Clean, Drain, and Dry regulation previously discussed:
  - Clean: When leaving a waterbody, it is required that all aquatic vegetation be removed from the vessel, trailer, and equipment.
  - Drain: Water drain plugs from bilges must be removed when leaving a waterbody
  - Dry: Boat operators should take reasonable measures to dry livewells, baitwells, and ballast tanks.