

# APPLICATION FOR SHORELINE USE PERMIT

(ER 1130-2-406)

(See reverse side for Privacy Act Statement)

Print or type information requested below. Submit two completed and original signed copies of this application with two complete sets of plans and specifications to the Resource Manager.

PROJECT (LAKE)

DATE OF APPLICATION

NAME OF APPLICANT (and Spouse if applicable)

TELEPHONE, AREA CODE AND NUMBER

STREET

CITY, STATE, ZIP CODE

E-Mail Address

TYPE OF FACILITY (Check one or more blocks as appropriate)

☐

NEW

☐

RENEWAL

☐

Transfer

WATER-BASE

☐

SINGLE-OWNER DOCK

☐

COMMUNITY DOCK

☐

MOORING BUOY

☐

OTHER (Describe)

BRIEF DESCRIPTION OF FACILITY LOCATION, STATE LICENSE NUMBER(S) OF BOAT(S) TO BE DOCKED (If this application is for boat mooring facility) OR DEVELOPMENT (If this application is for land use):

LOCATION:

BOAT INFORMATION:

(Example: AR-1234-BX)

Owner's Name

Length/Make

State Registration No.

1.

2.

3.

4.

\$ \_\_\_\_\_ fee received, \_\_\_\_\_ C. Lamb, Cashier, CK# \_\_\_\_\_, CR# \_\_\_\_\_

THE FOLLOWING ALTERNATE PARTY WILL BE READILY AVAILABLE ON SHORT-NOTICE CALL AND RESPONSIBLE FOR PROVIDING ANY NEEDED SURVEILLANCE OF THE STRUCTURE IN MY ABSENCE.

NAME

TELEPHONE, AREA CODE AND NUMBER

STREET

CITY, STATE, ZIP CODE

I UNDERSTAND AND AGREE TO THE CONDITIONS OF THE PERMIT FOR SHORELINE USE. TWO COMPLETE SETS OF THE PLANS AND SPECIFICATIONS, INCLUDING SITE LOCATION AND LAYOUT PLAN, FOR THE PROPOSED ACTIVITY. STRUCTURE OR ANCHORAGE SYSTEM ARE ENCLOSED.

(Date)

(Signature of Applicant)

(Date)

(Signature of Alternate)

(DO NOT WRITE BELOW THIS LINE)

## PERMIT

SHORELINE PERMIT NO.

DATE ISSUED

DATE EXPIRES (Date)

THE APPLICANT IS HEREBY GRANTED A PERMIT TO CONSTRUCT AND/OR MAINTAIN AND USE A FLOATING RECREATION FACILITY OR OTHER DEVELOPMENT AS SHOWN ON THE ATTACHED PLANS SUBJECT TO THE RULES AND REGULATIONS OF THE CORPS OF ENGINEERS ON WATERS UNDER THE CONTROL OF THE U.S ARMY, CORPS OF ENGINEERS. THE PERMITTEE SHALL ADHERE TO THE CONDITIONS FOR SHORELINE USE SET FORTH IN APPENDIX C OF ER 1130-2-406.

(Date)

Jon Hiser (Natural Resource Manager)

AUTHORITY

PRINCIPAL  
PURPOSE

ROUTINE USES

DISCLOSURE

Reverse of Eng Form 4264-R, Oct 90

DATA REQUIRED BY THE PRIVACY ACT OF 1974

The Rivers and Harbors Act of 1894 as  
Amended and supplemented (33 U.S.C. 1)

Provide the Corps of Engineers with

information for contact of responsible person applying for and/or receiving a Shoreline Management permit. The description of the activity is needed to assure conditions of the permit requirements are met.

The information on this application is used in considering the issuance of shoreline management permits on Corps of Engineers projects. This information is collected and maintained at the project offices and is used as a basis for issuing permits. It provides auditing information for this program which has financial involvement.

Disclosure of information is voluntary. However, failure to provide the requested information will preclude the issuance of a Shoreline Management permit.

SHORELINE USE PERMIT CONDITIONS

1. This permit is granted solely to the applicant for the purpose(s) described on the attached permit.
2. This permit is non-transferable. Upon the sale or other transfer of the permitted facility or the death of the permittee and his/her legal spouse, this permit is null and void.
3. If the ownership of a permitted facility is sold or transferred, the permittee or new owner will notify the resource manager of the action prior to finalization. The new owner must apply for a Shoreline Use Permit within 14 days or remove the facility and restore the use area within 30 days from the date of ownership transfer.
4. The permittee agrees to and does hereby release and agree to save and hold the Government harmless from any and all causes of action, suits at law or equity, or claims or demands or from any liability of any nature whatsoever for or on account of any damages to persons or property, including a permitted facility, growing out of the ownership, construction, operation or maintenance by the permittee of the permitted facilities and/or activities.
5. The Government shall in no case be liable for any damage or injury to a permitted facility which may be caused by or result from subsequent operations undertaken by the Government for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage. This includes any damage that may occur to private property if a facility is removed for noncompliance with the conditions of the permit.
6. Ownership, construction, operation, use and maintenance of a permitted facility are subject to the Government's navigation servitude.
7. No attempt shall be made by the permittee to forbid the full and free use by the public of all public waters and/or lands at or adjacent to the permitted facility or to unreasonably interfere with any authorized project purposes, including navigation in connection with the ownership, construction, operation or maintenance of a permitted facility and/or activity.
8. The permittee agrees that if subsequent operations by the Government require an alteration in the location of a permitted facility and/or activity or if in the opinion of the district commander a permitted facility and/or activity shall cause unreasonable obstruction to navigation or that the public interest so requires, the permittee shall be required, upon written notice from the district commander, to remove, alter, or relocate the permitted facility without expense to the Government.
9. Ownership, construction, operation, use and maintenance of a permitted facility and/or activity are subject to all applicable federal, state and local laws and regulations. Failure to abide by this applicable laws and regulations may be cause for revocation of the permit.
10. This permit does not convey any property rights either in real estate or material, and does not authorize any injury to private property or invasion of private rights or any infringement of federal, state or local laws or regulations, nor does it obviate the necessity of obtaining state or local assent required by law for the construction, operation, use or maintenance of a permitted facility and/or activity.
11. The permittee shall remove a permitted facility within 30 days, at his/her expense, and restore the waterway and lands to a condition accepted by the resource manager upon termination or revocation of this permit or if the permittee ceases to use, operate or maintain a permitted facility and/or activity. If the permittee fails to comply to the satisfaction of the resource manager, the district commander may remove the facility by contract or otherwise and the permittee agrees to pay all costs incurred thereof.
12. Facilities granted under this permit will not be leased, rented, sublet or provided to others by any means of engaging in commercial activity(s) by the permittee or his/her agent for monetary gain. This does not preclude the permittee from selling total ownership to the facility.
13. Permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. The resource manager will notify the permittee of any deficiencies and together establish a schedule for their correction. No deviation or changes from approved plans will be allowed without prior written approval of the resource manager.
14. The resource manager or his/her authorized representative shall be allowed to cross the permittee's property, as necessary, to inspect facilities and/or activities under permit.
15. The permit display tag shall be posted on the permitted facility and/or on the land areas covered by the permit so that it can be visually checked with ease in accordance with instructions provided by the resource manager.
16. The permittee agrees to construct the facility within the time limit agreed to on the permit issuance date. The permit shall become null and void if construction is not completed within that period. Further, the permittee agrees to operate and maintain any permitted facility and/or activity in a manner so as to provide safety, minimize any adverse impact on fish and wildlife habitat, natural, environmental, or cultural resources values and in a manner so as to minimize the degradation of water quality.
17. The use of a permitted boat dock facility shall be limited to the mooring of the permittee's vessel or watercraft and the storage, in enclosed locker facilities, of his/her gear essential to the operation of such vessel or watercraft.
18. Neither a permitted facility nor any houseboat, cabin cruiser, or other vessel moored thereto shall be used as a place of habitation or as a full or part-time residence or in any manner which gives the appearance of converting the public property, on which the facility is located, to private use.
19. Floats and the flotation material for all docks and boat mooring buoys shall be fabricated of materials manufactured for marine use. The float and its flotation material shall be 100% warranted for a minimum of 8 years against sinking, becoming waterlogged, cracking, peeling, fragmenting, or losing beads. All floats shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. All floats and the flotation material used in them shall be fire resistant. Any float which is within 40 feet of a line carrying fuel shall be 100% impervious to water and fuel. The use of new or recycled plastic or metal drums or non-compartmentalized air containers for encasement or floats is prohibited. Existing floats are authorized until it or its flotation material is no longer serviceable, at which time it shall be replaced with a float that meets the conditions listed above. For any floats installed after the effective date of this specification, repair or replacement shall be required when it or its flotation material no longer performs its designated function or it fails to meet the specifications for which it was originally warranted.
20. Flotation facilities shall be securely attached to the shore in accordance with the approved plans by means of moorings that do not obstruct general public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited.
21. If permitted facilities are removed for storage or extensive maintenance, the resource manager may require all portions of the facility be removed from public property.
22. No change in land form such as grading, excavation or filling is authorized by this permit.
23. No vegetation other than that prescribed in the permit will be damaged, destroyed or removed. No vegetation of any kind will be planted other than that specifically prescribed in the permit.
24. When vegetation modification is allowed, the permittee will delineate the government property line in a clear, but unobtrusive manner approved by the resource manager and in accordance with the project shoreline management plan.
25. When vegetation modification on these lands is accomplished by chemical means, the program will be in accordance with appropriate federal, state and local laws, rules and regulations.
26. By 30 days written notice, mailed to the permittee by certified letter, the district commander may revoke this permit whenever the public interest necessitates such revocation or when the permittee fails to comply with any permit condition or term. The revocation notice shall specify the reasons for such action. If the permittee request a hearing in writing to the district commander through the resource manager within the 30-day period, the district commander shall grant such hearing at the earliest opportunity. In no event shall the hearing date be more than 60 days from the date of the hearing request. Following the hearing, a written decision will be rendered and a copy mailed to the permittee by certified letter.
27. Notwithstanding the condition cited in condition 26, if in the opinion of the district commander, emergency circumstances dictate otherwise, the district commander may summarily revoke the permit.

Special Condition

I certify that all facilities and activities covered by this permit are in compliance with all Corps of Engineers' regulations and policies.

**By signing this application I certify that I have been informed and agree that any violation of Title 36, Code of Federal regulations, especially parts 327.2(c) Operation of a vehicle off of an authorized roadway (including the operation of an ATV on a permitted pedestrian path) or 327.14 Destruction of public property (Cutting or pruning of trees on government property) may result in revocation of this permit in part or in whole.**