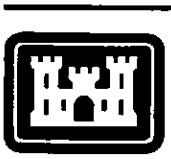

US Army Corps of Engineers
Little Rock District

Shoreline Management Plan For Table Rock Lake

Appendix F To
Design Memorandum No. 17-F
April 1993

CESWD-CO-RP (CESWL-CO-L/23 Jan 95) 1st End Mr. McCauley/jw/
7-2434
SUBJECT: Re-evaluation of Zoning Requests at Table Rock Lake

CDR, U.S. Army Corps of Engineers, Southwestern Division,
1114 Commerce Street, Dallas, TX 75242 14 FEB 1995

FOR Commander, Little Rock District

1. The results of your re-evaluation and proposed revisions to the Table Rock Lake Shoreline Management Plan are approved.

2. Public and Congressional notification of the results of your re-evaluation and approval thereof is authorized. As previously instructed, you should forward "lessons learned" to HQUSACE (CECW-ON) thru CESWD-CO-R within two weeks of completion of the effort.

JAMES P. KING
Colonel, EN
Commanding

Encl
wd

RECEIVED
2

DEPARTMENT OF THE ARMY
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS
POST OFFICE BOX 867
LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO
ATTENTION OF

CESWL-CO-L

23 January 1995

MEMORANDUM FOR Commander, Southwestern Division

SUBJECT: Re-evaluation of Zoning Requests at Table Rock Lake

1. References.

a. Correspondence requiring the re-evaluation (Tab A).

b. Current Table Rock Lake Shoreline Management Plan (SMP) (Tab B).

c. Supplements 4, 5, and 7 of the previous SMP concerning the re-evaluation sites (Tab C).

2. Purpose. The purpose of this supplement is to make recommendations regarding the re-evaluation of 89 zoning sites, initiated between 1989 and 1991, and corresponding updating of the SMP Limited Development areas.

a. The re-evaluation was directed to insure public involvement in the review process.

b. The HQUSACE approved re-evaluation plan is at Tab D.

c. A special task force was assembled to conduct the re-evaluations (Tab E).

3. Public Involvement Summary. (Tab F).

a. Two hundred fifty-one members of the public attended the three workshops.

b. A total of 130 written comments were received during the allotted 30 days following the workshops; the period ended 17 Dec 94.

4. Re-evaluation Results. The detailed individual evaluation packets are available upon request.

a. No Action Required. Eleven (11) request were withdrawn or involved incomplete applications (Tab G).

b. Sustained Approval. Forty-nine (49) sites (totalling 10,250 feet of shoreline); addressed in Supplements 4, 5, & 7 of

the previously approved SMP; met the criteria for approval (Tab H). The original zoning request submitted by Mr. Tex Harris, subject of the DOD-IG directed inquiry, is again considered to meet the required criteria justifying private floating facilities.

(1) Thirty-nine public comments were received concerning this particular request, with 22 against and 17 for zoning as a Limited Development area. The prevailing arguments against involved personal concerns of adjoining landowners regarding property devaluation, reduced lake view, proximity to existing homes and lack of public notification during the previous review.

(2) No information, however, was produced during any aspect of the review process that furnished appropriate justification (involves flowage easement lands, obstruction to navigation, presence of significant environmental or ecological features, slope grade of shoreline, etc.,) for reversal of the original decision as designation of Limited Development area (Tab I). It should be noted that under 36 CFR 327.30 and ER 1130-2-406 (dated 31 Oct 90) ownership of private land does not convey any exclusive rights to use the adjoining public lands.

c. Sustained Denial. Twenty-four (24) sites, denied in the previously approved SMP, failed to met the criteria for approval. A summary is provided detailing the rationale for each denial (Tab J).

d. Support Approval. Five (5) sites (totalling 825 feet of shoreline) previously denied were found to meet the criteria for approval based on changed site characteristics (Tab K). These sites had been considered in conjunction with Supplements 4, 5, and 7.

5. Shoreline Allocation Summary. The 745 miles of shoreline on Table Rock Lake, at the Conservation Pool (915' m.s.l.), includes the following categories with accompanying miles and percentages designated for each type of shoreline allocation if the results of this re-evaluation are approved.

Shoreline Category	Designated Miles	Percent of Total
Limited Development	78.2	10.5
Protected	552.2	74.1
Prohibited	1.0	0.1
Park and Buffer areas	46.9	6.3
Marina Buffers	66.7	9.0
Totals	745.0	100 %

6. Recommendations. The results of the re-evaluation and subsequent update of the Table Rock Shoreline Management Plan Limited Development areas should be approved.

7. Public Notification.

a. As designated by the approved plan, notification to the public and congressional interests of the final decision will be accomplished by this office upon direction by your headquarters.

b. Following your decision, a "lessons learned" document will be forwarded through SWD Headquarters to HQUSACE within two weeks.

DAVID R. RUF
Colonel, Corps of Engineers
Commanding

Encl

Copy Furnished:
Res Engr, Upper White River

CESWD-CO-RP (CESWL-CO-L/13 Apr 93) 1st End Mr. McCauley/jw/ 7-2434
SUBJECT: Shoreline Management Plan for Table Rock Lake

Cdr, U.S. Army Corps of Engineers, Southwestern Division,
1114 Commerce Street, Dallas, TX 75242

04 MAY 1993

FOR Commander, Little Rock District, ATTN: CESWL-CO-L

The Shoreline Management Plan for Table Rock Lake is approved subject to the following comment:

It is recommended that a summary of shoreline allocations chart be provided, including miles, percent, and number of private floating facilities within each allocation. Also, the number of grandfathered facilities should be indicated.

FOR THE COMMANDER:

BARRY G. ROUGHT, P.E.
Director, Directorate of
Construction-Operations

Encl
wd

CF (w/basic & encl):
CECW-ON

DEPARTMENT OF THE ARMY
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS
POST OFFICE BOX 867
LITTLE ROCK, ARKANSAS 72203-0867

REPLY TO
ATTENTION OF

1 [illegible] 1993

CESWL-CO-L

MEMORANDUM FOR Commander, Southwestern Division,
ATTN: CESWD-CO-R

SUBJECT: Shoreline Management Plan for Table Rock Lake

1. The subject plan is submitted for your review and approval.

2. This plan was developed using the criteria contained in 36 CFR 327.30 dated 27 Jul 90, and ER 1130-2-406 dated 31 Oct 90. Public workshops were conducted at the Table Rock Resident Office on 5 June 1991 and at Shell Knob, Missouri, on 6 June 1991 to obtain public input during the development of the District's overall shoreline management operating policy. The District's policy was published as SWLOM 1130-2-33 on 15 Sep 92.

3. The shoreline allocations in this plan are the same as those in the previously approved lakeshore management plan and its supplements. Public involvement was included in the original designation of these shoreline allocations.

4. Approval of the shoreline management plan for Table Rock Lake is recommended.

FOR THE COMMANDER:

Encl (3 cys)

FOR KEITH THONEN, P.E.
Chief, Construction-Operations
Division

WHITE RIVER WATERSHED
MISSOURI AND ARKANSAS
WHITE RIVER
TABLE ROCK DAM AND LAKE
DESIGN MEMORANDUM NO. 17-E

UPDATED MASTER PLAN FOR
DEVELOPMENT AND MANAGEMENT
TABLE ROCK LAKE

APPENDIX F
SHORELINE MANAGEMENT PLAN

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WHITE RIVER WATERSHED
MISSOURI AND ARKANSAS
WHITE RIVER
TABLE ROCK DAM AND LAKE
DESIGN MEMORANDUM NO. 17-E

UPDATED MASTER PLAN FOR
DEVELOPMENT AND MANAGEMENT
TABLE ROCK LAKE

APPENDIX F
SHORELINE MANAGEMENT PLAN

SECTION I

INTRODUCTION

1-01. Purpose. The Shoreline Management Plan for Table Rock Lake establishes policy and furnishes guidelines for the protection and preservation of the desirable environmental characteristics of the shoreline while maintaining a balance between public and private shoreline uses. The plan also considers means of restoration of the shoreline where degradation has occurred because of private exclusive use.

1-02. Authority. This Appendix was prepared in accordance with the requirements of 36 CFR 327.30, dated 27 July 1990, included as, Exhibit IV, and ER 1130-2-406, dated 31 October 1990.

1-03. References.

a. 36 CFR 327.30, dated 27 July 1990, Shoreline Management at Water Resources Development Projects Administered by the Chief of Engineers.

b. ER 1130-2-406, dated 31 October 1990.

c. SWLOM 1130-2-33, Project Operations Shoreline Management at Civil Works Projects, dated 15 September 1992.

1-04. Private Floating Recreation Facilities. Private recreation facilities as discussed in this plan include boat moorage facilities, ski jumps, swim floats, courtesy docks, mooring buoys, duck blinds, and other private floating recreation facilities. Limited motel/resort/campground docks, and lease expansion docks placed on the lake by commercial concessionaires are also considered. Private floating facilities used for boat mooring will not exceed the minimum size required to moor the owner's boat or boats plus a minimum area for storage of oars, life preservers, and other items essential to the operation of the watercraft. The 1982 Lakeshore Management Plan for Table Rock Lake implemented a "community docks only" policy for all new

docks placed on the lake. This concept, unique to Table Rock Lake, also limited family units to only two single slips and the mooring of two boats in community docks placed on the lake after the approval of the 1982 plan. The community dock only policy and the limitation on family ownership of slips are being retained as a part of this shoreline management plan.

1-05. Other Private Shoreline Uses. Individuals may apply for permits to make minor alterations to vegetation around habitable structures for land based private uses including vegetation modification, foot path construction, planting and landscaping, underbrushing, mowing and erosion control.

1-06. Master Plan. Upon approval, this Appendix will become a part of the Updated Master Plan for Table Rock Lake.

SECTION II

OBJECTIVES OF THE PLAN

2-01. General. Experience has shown that management is necessary to prevent large sections and possibly all of the shoreline from becoming congested with private floating facilities and thereby lost for public use and enjoyment. Management of the shoreline will provide an opportunity for optimum recreational experiences for the maximum number of people and assure compatibility among the recreating public, the environment, and project resources.

a. The objectives of this plan are to manage and protect the shoreline, to establish and maintain acceptable fish and wildlife habitat, aesthetic quality and natural environmental conditions and to promote the safe and healthful use of the lake and shoreline for recreational purposes by all Americans.

b. Boat owners are encouraged to moor their boats at commercial marinas or utilize dry storage facilities and trailer their boats to a public launching ramp. Launching ramps are provided in the Corps parks and at launching complexes developed by city, county or State Governments.

c. Limited alteration of vegetation in limited development areas will be permitted to allow for vegetation modification, foot paths, planting and landscaping, underbrushing, mowing and erosion control.

2-02. Commercial Concessions. Floating facilities used in connection with commercial concessions located in the parks are not affected by the shoreline allocations presented in this plan. These commercial operations are effectively controlled under existing Real Estate regulations. The remote storage facilities provided by these commercial operations within the designated marina buffer areas will reduce the need for numerous individually owned docks along the shoreline. Specific information concerning placement of remote service docks in marina buffer areas will be found in Exhibit III.

2-03. Motel/Resort/Campground Leases.

a. Floating facilities used in connection with limited motel/resort/campground leases are subject to the shoreline allocations and minimum size requirements described in this plan. Shoreline use permits (ENG 4264) are not issued for these facilities. These docks are a part of the commercial operation covered by a Real Estate outgrant, and the maximum number of slips they may provide are effectively controlled by regulations pertaining to those outgrants. In those cases where existing

motel/resort/campgrounds already provide docks for bona fide guests but are outside of designated limited development areas, the shoreline has been designated as a restricted limited development area. As long as the docks in these restricted limited development areas are maintained to Corps standards, the leases or licenses for these facilities may be renewed or transferred to a new owner and the facility remain at the same mooring location. Expansion of docks in a restricted limited development area will be considered on a case-by-case basis.

b. The parent company of time-share resort type facilities can qualify for limited motel/resort/campground leases if all other qualifications and requirements for the lease are met. There is a growing trend for developers to construct and convey interest in resort complexes on a time-share basis. The parent company retains ownership in all the common areas and facilities and performs the overall management of the facility. The time-share owners will generally be limited in the time they can occupy the unit (1 or 2 weeks a year). Therefore, they are basically the same as guests of a facility operated under the term of a limited motel/resort lease.

2-04. Private Exclusive Use. Ownership of private land does not convey any exclusive rights to the use of the adjoining public lands. It is the objective of this plan to manage private exclusive use of public property to the degree necessary to balance the benefits to both the general public and the adjoining private landowners.

2-05. Background.

a. Table Rock Lake was selected as one of three representative study areas in the Southwestern Division designated to develop the initial lakeshore management plans. The general concept for lakeshore management was approved by the Division Engineer in October 1972. The general public participated in the development of a preliminary lakeshore management plan for Table Rock Lake through public meetings held in Shell Knob, Missouri, and Kimberling City, Missouri, in December 1972.

b. The initial plan was reviewed, updated with public involvement and approved by the Division Engineer in April 1976. Beginning in September 1981, the lakeshore management plan for Table Rock Lake was once again reviewed and updated with public involvement. The updated plan, which implemented a community dock only policy for the lake, was approved by the Division Engineer on 27 May 1982.

c. After a period of public involvement, 55 rezoning requests were approved as a supplement to the Table Rock Lakeshore Management Plan in January 1988. In April 1989, 25

rezoning requests were considered and made available for public review and comment. Subsequently, 15 of the rezoning requests were approved as a supplement to the Table Rock plan in April 1989. Following a similar procedure for public involvement, the Division Engineer approved 20 rezoning requests as a supplement to the plan in July 1990.

d. On 30 September 1990, the Division Engineer approved a 3-year pilot project which allows the existing marina operators to provide remote boat mooring docks. The docks must be located within the marina buffer areas designated in the shoreline management plan and used only for boat moorings. Rentals or product sales are not permitted to take place on the remote service docks. The details of this pilot project are outlined in Exhibit III.

e. In 1991, 30 rezoning requests were considered and made available for public review and comment. Thirteen of these rezoning requests were approved by the Division Engineer as a supplement to the Lakeshore Management Plan for Table Rock Lake in August 1991.

2-06. Plan Conversion. Revision of 36 CFR 327.30 in 1990 required the Little Rock District to convert its currently approved lakeshore management plans, as supplemented, to shoreline management plans. The District's draft operating policy for shoreline management was discussed at public workshops held at the Table Rock Resident Office on 5 June 1991, and in Shell Knob, Missouri on 6 June 1991. The provisions of the District's shoreline management policy, SWLOM 1130-2-33, were approved by the District Engineer on 15 September 1992. The provisions of this SWLOM and the shoreline allocations contained in the most recent approved lakeshore management plan, as supplemented, are included in this Shoreline Management Plan for Table Rock Lake.

2-07. Five-Year Review. Shoreline management plans will be reviewed at least once every 5 years. The plan may be supplemented more frequently should regulations, project operations, project conditions, or management objectives change significantly. The District Engineer may approve minor administrative revisions to the plan when the revisions are consistent with ER 1130-2-406 or 36 CFR 327.30. The addition or deletion of limited development areas will not be considered minor revisions. Revisions of this nature will require public involvement and approval by the Division Engineer.

SECTION III

DESCRIPTION OF THE SHORELINE

3-01. General. Table Rock Dam is located at river mile 528.8 on the White River in Stone and Taney Counties, Missouri, approximately 6 miles southwest of Branson, Missouri. The lake extends westerly along the White River to the Beaver Dam, at river mile 609.0, and comprises lands in Taney, Stone, and Barry Counties, Missouri, and in Boone and Carroll Counties, Arkansas. The region continues to be a very popular, highly developed and commercialized vacation area. The area around the project is characterized by narrow ridges between deeply cut valleys that are well wooded with deciduous trees and shrubs, interspersed with a scattering of pine and cedar typical of the region.

3-02. Land Acquisition Policy. The real property fee acquisition line for Table Rock Lake, as a general rule, was blocked out along regular land subdivision or property ownership lines, to include all lands below the elevation 923 mean sea level or to include the lands required for public access areas.

a. Flowage easements were acquired above the blocked out fee acquisition line up to, as a general rule, elevation 936 m.s.l. A flowage easement gives the Government the perpetual right to flood privately-owned land, if necessary, for operation of the project and to prohibit any structures for human habitation. Construction of other types of structures on flowage easement is limited to those meeting Corps of Engineers approval.

b. In those areas where acquisition of easements on extremely small areas was not practical, the blocked out line for fee acquisition was extended to include the easement contour. As a result of this blocking out process, the Government boundary is a very uneven line rather than a straight "bowl" around the lake.

3-03. Shoreline. At the top of the conservation pool, elevation 915, the shoreline of the lake has a total length of 745 miles. As the pool rises to the top of flood control pool elevation 931, the shoreline length increases to 857 miles.

3-04. Present Land Use. The Table Rock project area contains 63,767 acres, of which 57,820 acres are owned in fee, 3,050 acres in the riverbed, and 2,897 acres are managed with flowage easements. There are 52,300 surface acres located at the top of the flood control pool. Corps of Engineers parks and the Table Rock State Park contain 1,832 acres allocated for park use.

3-05. Private Development. The area around Table Rock Lake is a popular vacation and retirement area. This is evident by the fact that hundreds of subdivisions adjoin Government ownership.

3-06. Shoreline Access. The areas around Table Rock Lake are easily accessible to the recreational boaters and adjoining property owners alike. In addition to the launching lanes located in the parks and the 65 severed roads used for boat launching, more than 300 rights-of-way have been granted to local and county governments, subdivisions, limited motel/resorts/ campgrounds and individuals for the construction of public accesses to the lake. Many of these complexes consist of an access road, parking area, and launching ramp and are located adjacent to subdivisions and other developments.

a. Roads, parking areas, launching facilities and improved walkways on Government lands, not constructed by the Corps of Engineers, must be covered by a lease, license or other legal grant issued by the Little Rock District, Real Estate Division. Requests for these facilities are evaluated on a case-by-case basis. Personnel from the Table Rock Resident Office staff will make a field inspection to substantiate the need for the requested improvement. Other factors considered in the evaluation of the request include: (1) availability of existing ready access to the lake, (2) the number of existing access points within a reasonable distance to the proposed site and, (3) a determination of the amount and type of possible environmental degradation. All outgranted roads, parking areas, and launching facilities must conform to the minimum standards of the Little Rock District (Exhibit VIII).

b. Any road, parking area, launching facility or improved walkway not covered by a real estate instrument will be closed and the site restored as nearly as possible to its original condition. Any improvements authorized by temporary letter of permit are subject to closure if they are not covered by a real estate instrument within a reasonable period of time.

3-07. Prior Commitment. Private docks and limited private use of the shoreline has been permitted on Table Rock Lake since impoundment began. The number of private floating facilities and land based permits on the lake continue to increase.

3-08. Indian Lands. There are no Indian lands within the boundaries of Table Rock Lake project.

3-09. Joint Jurisdiction. The United States Forest Service owns land bordering approximately 45 miles of shoreline in Mark Twain National Forest. Cow Creek Park, operated by the Corps of Engineers, is under license from the U.S. Forest Service. Floating facilities will only be authorized adjacent to National Forest Service land designated as Limited Development. This is to protect the unspoiled natural and scenic appearance of the shoreline.

SECTION IV

SHORELINE ALLOCATION

4-01. General. Increased development of adjoining private land increases the demand for private floating facilities; therefore, a plan for systematic management of the shoreline is essential. This approach is intended to protect the natural beauty of the shoreline and to balance shoreline uses to maximize the benefits for the most users.

4-02. Shoreline Allocation Maps. Allocations extend from the water's edge to the project boundary for land-based uses and from the shoreline waterward for floating facility considerations. Maps showing the shoreline allocations are included as Exhibit I of this Appendix. A master map of the shoreline is on display in the Duty Room at the Office of the Resident Engineer at Table Rock Lake.

4-03. Allocations. A comprehensive study of the entire shoreline, involving public participation, resulted in development of this Shoreline Management Plan for Table Rock Lake. The plan establishes the following shoreline allocations:

a. Limited Development Areas. Approximately 10 percent of the shoreline at the top of conservation pool is designated for limited development. Private floating facilities are permitted in areas designated for limited development. These areas are shown in red on the shoreline allocation maps in Exhibit I.

(1) All United States citizens have an opportunity to moor a dock in a limited development area provided the area has not reached the maximum density of development. The applicant must have ready access to the shoreline either by public road, ownership of adjoining property, or right of access across adjoining property. Generally, ready access to the lake is considered to be 200 feet or a reasonable distance a person could carry a motor, fishing tackle, and other related gear. Dock owners who are not permanent residents of the area must designate a local resident who will be responsible for surveillance of their dock on a 24-hour day basis.

(2) Generally, the number of docks that will be permitted in an area will be limited by spacing a minimum of 100 feet apart in ideal shoreline conditions. The allowable density of development in limited development areas will consider location, fluctuation of water level, ecological and aesthetic characteristics of the particular area, among other criteria. The density of development will not exceed 50 percent of the shoreline allocated for limited development when the lake level is at the top of conservation pool.

b. Restricted Limited Development Areas. Restricted limited development areas are designated to honor previous commitments to owners of existing, lawfully installed docks. Docks moored in restricted development areas may be sold, bought, ownership transferred, etc., and a permit issued to the new owner(s) allowing the dock to remain at its present location. All docks on the lake must be maintained to Corps of Engineers construction and safety standards regardless of the mooring locations. Docks moored in those areas will not be enlarged or expanded to accommodate additional boats. Construction of replacement docks or relocation of docking facilities within restricted limited development areas will be considered on a case-by-case basis.

c. Park Buffer Areas. These areas are shown in green on the shoreline allocation maps. Private floating facilities and resort docking facilities are not permitted within or adjacent to developed or future parks. Individuals or groups are not permitted to make any modification of the land form or vegetative characteristics of lands under this allocation. Commercial boat docks and marinas are permitted in public recreation and buffer areas. Existing private docks and resort facilities may be sold or ownership transferred and allowed to remain at their present locations under the grandfathering provisions of this plan. These facilities may be replaced, but cannot be expanded or enlarged to accommodate additional boats.

d. Protected Shoreline Areas. Reaches of shoreline not designated by a color code on the shoreline allocation maps are considered protected shoreline areas. A majority of the shoreline on Table Rock Lake is designated as protected shoreline. These areas were designated to protect aesthetic, environmental, and fish and wildlife values. Other reaches of the shoreline were included under this allocation for physical protection, reasons including shallow areas and reaches of the shoreline subject to damaging winds or currents.

(1) Land access and boating are permitted along the shoreline with this allocation may be permitted if aesthetic, environmental, and natural resource values are not damaged or destroyed. Modification of the land form or vegetation may be permitted after the effects on the environmental and physical characteristics of the area have been considered and approved by the Resident Engineer.

(2) Rights-of-way for launching complexes across shoreline allocated as protected areas will be considered on a case-by-case basis. Shoreline Use Permits will not be issued for floating facilities in these zones.

e. Prohibited Access Areas. Private docks and shoreline uses are prohibited in areas immediately upstream from the dam for safety and security reasons.

f. Marina Buffer Areas. These areas are designated in yellow on the shoreline allocation maps, Exhibit I. These areas are allocated for the placement of remote mooring facilities by existing marina concessionaires on Table Rock Lake. Additional information regarding marina buffer areas may be found in the "Implementation Plan for the Table Rock Lake Pilot Project Concerning Placement of Remote Service Docks in Marina Buffer Areas" (Exhibit III).

SECTION V
SHORELINE USE PERMIT GUIDELINES

5-01. Boat Docks.

a. Dock plans submitted with shoreline use permit applications must conform to the minimum construction, maintenance, and safety requirements outlined in SWLOM 1130-2-33, Exhibit II, Appendix G. Two sets of plans and specifications must be submitted along with the Shoreline Use Application to Table Rock Resident Office, Hwy. 165, P.O. Box 1109, Branson, Missouri 65616. Electrical certification must be provided before a Shoreline Use Permit can be issued or renewed (Exhibit II, Appendix F).

b. All new private docks placed on the lake must be community docks, with a minimum of 12 slips and a maximum of 20 slips. This will assure the most effective use of the limited amount of shoreline set aside for the mooring of private floating facilities by the maximum number of persons. The maximum size of 20 slips was established for safety reasons and to assure maneuverability of the dock during periods of pool fluctuation. Existing docks larger than 20 slips will be grandfathered if safely maintained and shoreline is not needed for a higher purpose.

(1) In community docks a family unit will be limited to a maximum of two single slips, the mooring of two boats and ownership in only one dock on Table Rock Lake. A completed Community Dock Owners Association Agreement and a completed Contract for Sale of Stall(s) in Community Boat Docks, Exhibit II, Appendix E, is required prior to the issuance of a permit.

(2) A permit for a community dock does not give the members any exclusive rights to the use of Government lands for access, parking or utilities to serve the dock. Members may not: (a) remove vegetation or trees, (b) construct breakwaters to protect the dock from wave action or, (c) install buoys to restrict speed of passing boats.

(3) Where necessary community dock members may be required to provide written permission from adjoining private landowners to assure access by land to the project boundary.

(4) Requests to expand community docks will be subject to prior approval by the other owners with an interest in the dock and the Table Rock Lake Resident Engineer. Requests will be reviewed on a case-by-case basis, considering the physical characteristics of the area, available facilities nearby and possible financial hardships of those involved.

(5) Community docks must be moored perpendicular to the shore. Docks should not extend out from the shore more than one-third of the cove width at conservation pool elevation. Exceptions may be considered based on unique physical characteristics of the site location. The dock size, configuration, and anchoring must be approved by the Resident Engineer.

5-02. Existing Docks Under Permit. Existing docks that are already under permit and in good standing do not have to be converted to community docks. Those existing docks can be sold and/or relocated to other approved mooring sites on the lake. Requests to expand the size of existing docks will be subject to prior approval by the Resident Engineer. Each request will be reviewed on a case-by-case basis considering the physical characteristics of the area, available facilities nearby and possible financial hardships of those involved.

5-03. Courtesy Docks. Permits for courtesy docks will generally be issued to municipalities, commercial enterprises, civic groups, etc. Courtesy docks will be open design without roof an any signage must be approved by the Resident Engineer. The courtesy docks must be moored in limited development or marina buffer areas and used for short term tie-up (1-2 hours) while boaters are conducting their business. The permittee is responsible for providing suitable access to the dock. Courtesy dock permits will not be issued to individuals.

5-04. Instruments for Shoreline Use.

a. Shoreline use permits will be issued on ENG Form 4264-R. Samples of the permit and permit conditions are shown in Exhibit II, Appendix B and C. These permits may also be used to approve vegetation modification, foot-path construction, and similar activities which do not involve a change of land form or involve placement of permanent structures on project land. Multiple permitted uses will be included on the same permit at no additional cost. Guidelines for Shoreline Use Permits is listed in Exhibit II, Appendix A.

b. Revocable shoreline use permits may be granted for private floating facilities, duck blinds, mooring buoys, ski jumps, and for vegetative modifications where such activities conform to the shoreline management plan and to land use allocations of the project master plan. An individual may have only one of the following items on Table Rock Lake to preclude usurpation of the shoreline. The applicant may have either:

(1) A permit for a private floating facility.

(2) Ownership of up to 2 slips in a community dock. (Valid state boat registration will be necessary to verify slip needs.)

(3) A permit for a mooring buoy.

(4) A license for a cable tramway.

c. The requirement for community boat docks only will assure the most effective use of the limited amount of shoreline set aside for the mooring of private floating facilities by the maximum number of persons. The permit for a community dock will be issued to the person designated in an association agreement, or similar document, as the authorized representative for the slip owners in the dock. Valid boat registrations will be used to verify slip ownership and occupancy. Evidence must be furnished with the application assuring that the community dock association agreement and contracts for slip ownership have been notarized and filed with the county clerk. See Exhibit II, Appendix E.

d. Underground electrical service lines are encouraged, but in consideration of rocky terrain, soil conditions, and pool fluctuation, excavation may be determined to be impractical. Under these restrictive conditions, overhead electrical lines will be permitted. Electrical service lines must meet all applicable electrical codes, regulations, and clearance requirements. A licensed, registered or otherwise certified electrician will provide a copy of the electrical certification (Exhibit II, Appendix F) to the Resident Engineer before a Shoreline Use Permit can be issued or renewed.

e. Docks will be spaced a minimum of 100 feet apart. This distance, measured at the conservation pool elevation, will provide increased fire protection, personal safety, shoreline aesthetics, fishing access, and general recreational use. The open space will facilitate maintenance of docks, cables, stiff-arms, and related features of the dock and allow simultaneous maneuvering of several watercraft in a safe manner. Previously approved spacings of less than 100 feet will be grandfathered.

f. The facilities in limited development areas will not occupy more than 50 percent of the total shoreline bearing that designation. Density will be determined by measuring linear feet of shoreline in the zone and comparing it to the width of the facilities.

g. Adjacent landowners must obtain a permit from the Resident Engineer prior to modifying the vegetative characteristics of project lands. This requirement applies to mowing and/or removal of grasses, shrubs, and small trees. Permits for vegetative modification will not be granted to

individuals in areas designated as public recreation areas, including buffers, or on lands allocated as prohibited access areas. The limits of vegetation modification are dependent on the proximity of the habitable structures to the project boundary. The maximum allowable limit of vegetation modification is 200 feet, measured from the foundation of the habitable structure. The actual limits of vegetation modification in each case will be determined by the Resident Engineer, or his representative, and defined on the shoreline permit.

h. Requests for shoreline improvements involving landscaping activities must be accompanied by a detailed or well-designed landscape plan. The plan will provide for better management of the area for the enhancement of wildlife propagation, protection of the aesthetics and prevention of erosion.

5-05. Permits, Authority to Issue. Project resource managers are authorized to issue shoreline use permits. ENG Form 4264-R, Application for Shoreline Use Permit, with permit conditions attached will be used (Exhibit II, Appendix C). Construction may proceed upon receipt of written approval of the plans by the Resident Engineer or his representative.

5-06. Permit Administration Charge. A charge will be made for shoreline use permits to help defray expenses associated with issuance and administration of the permits. Fees for shoreline use permits are listed in Exhibit X, Shoreline Use Permit Fees. Fees paid for shoreline use permits are non-refundable.

5-07. Permit Term. Shoreline use permits for private boat docks and vegetation modification are issued for a period of time not to exceed 5 years. The expiration date for permits for duck blinds will correspond with the closing of the waterfowl hunting season and the permittee will be required to remove the blind within 30 calendar days after the close of the season. All shoreline use permits are subject to revocation by the District Engineer whenever he determines that the public interest requires such revocation or the permittee fails to comply with the conditions of the permit, this plan, or ER-1130-2-406.

5-08. Posting of Permit Number. Two white plastic permit tags, approximately 6" x 8" in size, bearing the permit number and expiration date will be furnished with each permit issued. These tags will be posted on the floating facility on the right corner from land and water sides so they are clearly visible. Facilities and/or activities permitted under special conditions, such as grandfathering, will be identified by using green permit tags or with an "X" preceding the permit number to make them readily identifiable. An example is shown in Exhibit II, Appendix D.

5-09. Design of Private Floating Facilities.

a. General. All floating recreation facilities will be designed and constructed to meet or exceed the Minimum Construction and Maintenance Requirements for Private Floating Facilities (Exhibit II, Appendix G). Electrical service to docks will conform to the Safety Checklist. Electrical service to most docks is used only for lighting and the operation of battery chargers. Where there is an indication that power tools may be used on the dock, the use of an approved ground fault interrupter will be encouraged. Two sets of plans and specifications for the dock must accompany the application and will be subject to the approval of the Resident Engineer at Table Rock Lake or his authorized representative. The application along with plans, specifications may be sent or delivered to the Table Rock Resident Office, Hwy 165, P.O. Box 1109, Branson, Missouri 65616.

b. Limited Use. The use of boat mooring facilities will be limited to the moorings of boats owned by and registered to the permittees and co-owners and the storage of gear essential to the operation of the water craft. The installation of accommodations and facilities conducive to human habitation is prohibited. All new docks must be constructed with open sides.

c. Flotation. Any flotation materials, including those used as replacements, installed on Table Rock Lake after 1 January 1994, shall comply with condition 14 of Appendix C to 36 CFR 327.30, Shoreline Management. All flotation used with new docks and boat mooring buoys, shall be of materials which will not become waterlogged (not over 1-1/2 percent by volume ASTM), is resistant to damage by animals and will not sink or contaminate the water if punctured. No metal covered or injected drum flotation will be allowed. Foam bead flotation that is not subject to deterioration through loss of beads, meets the above criteria, and has a minimum density of 1.2 lb/cu ft is authorized. Foam bead flotation with a density of 1.0 lb/cu ft, but does not otherwise meet the above criteria, is authorized provided it is encased in an approved protective coating which enables it to meet the specifications above. An approved coating is defined as warranted by the manufacturer for a period of at least 8 years against cracking, peeling, sloughing and deterioration from ultra violet rays, while retaining its resiliency against ice and bumps by watercraft. Existing flotation will be authorized until it has severely deteriorated and is no longer serviceable or capable of supporting the structure, After 1 January 1994, replacement flotation must meet or exceed the requirements outlined above.

d. Buoys. The Missouri Division of Water Safety, in coordination with the Corps of Engineers, must approve the placement of buoys on the waters of Table Rock Lake.

Applications may be mailed to the Missouri State Water Patrol, P.O. Box 603, Jefferson City, Missouri 65102. A discussion of application procedures and a copy of the Missouri State Water Patrol buoy application are shown in Exhibit IX.

(1) The placement of mooring buoys is subject to the same shoreline allocations and permit procedures as other private floating facilities. Mooring buoys must meet the criteria established in Exhibit VI. Persons who already have an interest in a dock will not be given an permit for a mooring buoy.

(2) Regulatory buoys are not subject to the shoreline allocations in this plan and they do not require a shoreline use permit. The procurement and maintenance costs for private buoys will be borne by the individual(s) making the request. The Corps of Engineers will maintain regulatory buoys adjacent to Government developed facilities and in those areas identified as high danger.

e. Duck Blinds. A seasonal duck blind is defined as a structure fabricated from metal, lumber, wire, and other identifiable building material placed on a project for seasonal use. A permit is not required of those who hunt from the concealment of natural shoreline vegetation or portable blinds placed and removed on a daily basis. Applications for a duck blind permit is made on Application for Shoreline Use Permit, Exhibit II, Appendix B, however the permit will not be issued in excess of 30 days prior to waterfowl season. A drawing of the structure must accompany the application. Fees are listed in Exhibit X, Shoreline Use Permit Fees.

(1) A map will be maintained in the Resident Office showing the location of each permitted blind and shall be referred to while processing applications to avoid conflicts in location. The applicants are advised that the permit does not convey exclusive or protected hunting rights to any segment of the lake or shoreline.

(2) The applicant should be advised that the Corps of Engineers has no authority to protect the structure from use and trespass by the general public.

(3) The expiration date of the permit will correspond with the closing of the waterfowl hunting season. The permittee will be required to remove the structure within 30 calendar days after expiration of the permit.

5-10. Tramways. Tramways are subject to the shoreline allocations in this plan. The Resident Engineer will forward all requests for tramways with recommendations concerning approval through the Chief, Construction-Operations Division, and Chief, Engineering Division, for approval of the plans, and to the

Chief, Real Estate Division, to grant the necessary rights-of-way. Tramways will generally be used to transport only boats and related equipment. Use of tramways for transportation of individuals is discouraged for safety reasons. In the event personal transportation is mandatory due to steep terrain or the physical condition of the user, the application should so state. All construction plans shall conform to the requirements shown in Exhibit VII.

5-11. Collection of Fees. Payment may be made by check (personal, certified, cashiers, etc.) or money order made payable to FAO, Little Rock District. Payment may also be made in cash. Cash collections will be acknowledged by issuance of a receipt or SF Form 1165. Revenue from issuance of shoreline use permits will be collected by employees authorized to collect for petty cash sales. The recreation fee cashiers or alternates will not handle fees for shoreline use permits. Collections will be scheduled to the Finance and Accounting Officer, using ENG Form 3313, Remittance Register. Collections identified as "Shoreline Use Permits" may be listed on the same schedules as reservoir maps, folder maps, etc. Fees for shoreline use permits are listed in Exhibit X. Shoreline use permit fees and are non-refundable.

a. Renewals. The administration and inspection fees will be collected for renewed permits. A new permit will be issued whenever ownership of a private floating facility is transferred or when a new dock is placed on the lake. Electrical Certification Forms (Exhibit II, Appendix F) are required for renewal of permits for docks with electrical service. When a permit for a private floating facility is renewed in the name of the present owner, the applicant will receive the following:

(1) Month of expiration sticker (two copies).

(2) Year of expiration sticker (two copies).

(3) Signed copy of the permit, ENG 4264-R, including a statement of total fee paid signed by the person authorized to collect for petty cash sales.

b. ENG 4264-R. The permit (Exhibit II, Appendix B) will be prepared in triplicate. The original will be given to the permittee. The second copy will be kept on file in the Resident Office. The third copy will accompany the remittance to the Finance and Accounting Office.

5-12. Grandfather Clause. Previously approved private floating facilities already moored in areas where allocations made by this shoreline management plan to not allow docks will be permitted to remain in their present locations or relocated to a limited development area with approval from the Resident Engineer or his

representative. Private or community docks with more than 20 slips, or those with less than a 100-foot spacing between docks will be grandfathered. Existing private and community docks in these areas may not be enlarged in size to accommodate additional boats. Section 1134(d) of Public Law 99-662 provides that any lawfully installed dock in place under a valid shoreline use permit as of 17 November 1986 cannot be forced to be removed if it meets the following conditions:

a. such property is maintained in a usable and safe condition,

b. such property does not occasion a threat to life or property, and

c. the holder of the permit is in substantial compliance with the existing permit.

5-13. Termination of Permit. Termination of shoreline use permits for floating facilities shall follow the guidelines shown in Exhibit V.

5-14. Removal of Facilities. It is the responsibility of the permittee to remove facilities upon termination of the shoreline use permit. If the permittee fails to do so, the District Engineer may remove the facility by contract or otherwise and require reimbursement of the costs incurred from the permittee. Facilities not removed when specified in the permit or when requested after termination or revocation of the permit will be treated as unauthorized structures pursuant to 36 CFR 327.20.

SECTION VI

OTHER SHORELINE USES BY INDIVIDUALS

6-01. Private Exclusive Use of the Shoreline. Adjacent landowners must obtain a permit from the Table Rock Lake Resident Engineer prior to modification of land form or vegetative characteristics of the area. Permits will not be granted to individuals for use of lands allocated as public recreation areas including their buffers.

6-02. Conditions. Construction of paths and other shoreline improvements will be subject to the following requirements.

(1) Only hand-operated tools and noncommercial riding lawn mowers may be used. The use of heavy equipment, such as tractors or bulldozers, is not permitted.

(2) Only dead or diseased trees previously inspected by the Resident Engineer or his representative may be cut. Any felled trees must be removed from project lands for disposal. No burning by individuals will be allowed on project lands. Any trees destroyed by natural causes will not be removed from project lands except by permission of the Resident Engineer or his representative.

(3) Healthy trees, larger than 2 inches in diameter (measured at chest height), may not be removed. Flowering trees or shrubs, such as dogwood or redbuds, may not be cut regardless of their size. Trimming of healthy trees to obtain a view is prohibited. In certain cases, the Resident Engineer may restrict the cutting of trees less than 2 inches in diameter if it is determined it would create an erosion problem or similar adverse impact.

(4) The limits of vegetation modification are dependent on the proximity of habitable structures to the project boundary. The maximum allowable limits of vegetation modification are 200 feet. The actual limits of vegetation modification in each case will be determined by the Resident Engineer or his representative, and defined on the shoreline use permit.

(5) Shoreline use permits may be issued to authorize pedestrian access paths from adjoining private property to the shoreline. These paths must follow meandering routes to reduce erosion and to minimize the need for removal of grasses, shrubs and small trees (less than 2 inches in diameter measured at chest height). It is recognized that paths constructed to blend into their natural surroundings will, by necessity, vary in width depending on physical conditions along the meandering path route. Pedestrian access paths to the shoreline should not exceed 6 feet

in width, measured at their widest point(s). The shoreline use permit does not convey the right to construct any structures, such as bridges or steps, in connection with the path. If structures such as bridges or steps are proposed, a real estate outgrant will be required and must be obtained before any work is started.

(6) Requests for shoreline improvements involving landscaping activities must be accompanied by a detailed or well-designed landscape plan. The plan will provide for better management of the area for the enhancement of wildlife propagation, protection of the aesthetics and prevention of erosion.

(7) When vegetation modification on project lands is accomplished by chemical means, the program will be in accordance with appropriate federal, state, and local laws, rules and regulations. A detailed plan of proposed work must be submitted to and approved by the Resident Engineer prior to work being accomplished. Information on acceptable chemicals can be obtained from the Natural Resources Management Branch, Little Rock District.

6-03. Landscaping. Requests for this type of shoreline improvement must be accompanied by a detailed landscape plan. The plan will provide for better management of the area for the enhancement of wildlife propagation, preservation of the aesthetics, and prevention of erosion.

6-04. Public Access Areas. There are other reaches of the shoreline that are popular areas for public use or have potential public use. Many of these areas have been kept mowed by the adjacent landowners, and it may be in the best interest of the general public to allow this practice to continue at those locations where substantial public use is made possible in part by the clearing and mowing. Each case has to be considered on an individual basis. All clearing and mowing activities will be covered by a permit, ENG Form 4264, and contain an added condition that "all lands covered by this permit will remain open at all times for use by the general public." In these areas, permittees will be strongly encouraged to consider as a part of their permit the enhancement of wildlife by the planting of cover, food plots, and trees in those areas under permit. The limits of mowing in each case will be determined by the Resident Engineer and defined on the shoreline use permit.

6-05. Project Boundary Line. Most of the boundary line on Table Rock Lake has been surveyed and monumented. The boundary line is defined by survey monuments (where undisturbed) placed at ground level. The survey markers are 3 1/2-inch diameter, round, brass caps and are stamped to show the monument number, the year

surveyed and the agency Little Rock District, Corps of Engineers, U.S. Army. Normally, the project boundary is a straight line between survey markers. The elevation and distance between these survey markers varies. Any proposed alteration on public lands must be submitted to and approved by the Resident Engineer prior to modification.

SECTION VII

PERMITS

7-01. Shoreline Use Permits. Shoreline use permits are issued for private floating recreation facilities, access paths, vegetation modification, or temporary electric service lines which do not in any way involve a disruption to or a change in land form. All of these permits will be non-transferable. Upon sale or other transfer of the permitted facility or death of the permittee, the permit is null and void. A new permit may be issued to the new owner after an application has been made and administrative charges and inspection fees have been paid.

7-02. Department of the Army Permits. Activities such as dredging, construction of fixed structures, including fill and combination fixed-floating structures, and the discharge of dredged or fill material in navigation waters will be permitted under conditions specified in permits issued under authority of Section 10, River and Harbor Act of 3 March 1899 (33 USC 403) and Section 404 of the Federal Water Pollution Control Act (33 USC 1344). Shoreline use permits are not applicable.

7-03. Real Estate Instruments. All commercial development activities and all activities by individuals which are not covered above and involve grade, cuts, fills, other changes in land form, or appropriate land-based support facilities required for private floating facilities such as roads, drives, powerlines, and tramway rights-of-way will be covered by a lease, license, or other outgrant.

7-04. Facilities Existing Under Special Conditions. The Shoreline Management Plan will consider existing permitted facilities and prior written commitments. Approved facilities and/or activities outside limited development areas will be grandfathered. Green permit tags or permit numbers preceded by an "X" will be used to designate facilities and activities being allowed under special conditions and to set them apart from other facilities and/or activities. Special provisions also apply to the removal of grandfathered facilities or activities lawfully installed and under permit as of 29 December 1981 or 17 November 1986. Procedures regarding removal of these grandfathered facilities as provided for in PL 97-140 and PL 99-662 are outlined in paragraph 8 of ER 1130-2-406.

7-05. Facility Maintenance. Minimum construction and maintenance requirements for floating facilities are outlined in Exhibit II, Appendix G. When deficiencies are detected, the Resident Engineer or his representative and permittee will establish a schedule, considering the seriousness of the safety deficiency, for correcting the situation at the permittee's expense.

SECTION VIII

OTHER LAND USES

8-01. Project Lands. Sanitary facilities within the developed parks consist of restrooms with masonry vault holding tanks, septic tanks and disposal fields, or sewage treatment plants. Sanitary dump stations with holding tanks are provided for trailers in parks. Marine dump stations with holding tanks are provided by some of the commercial docks on the lake. Sewage disposal methods and facility designs are in accordance with applicable State Department of Health and EPA requirements. None of the effluent from the holding tanks are disposed of on project land. There are no sanitary landfills on the Table Rock Project.

8-02. Adjoining Lands. Septic tanks and other sanitary facilities constructed on adjoining private land are subject to inspection and approval by representatives of the State Department of Health. Any evidence that these facilities are not functioning properly is reported to the applicable State Department of Health for investigation and corrective action.

SECTION IX

CONCLUSIONS AND RECOMMENDATION

9-01. Matters Not Provided For. Requests for activities not specifically addressed in this Shoreline Management Plan will be sent to the Chief, Construction-Operations Division, for review, coordination, approval, or referral to higher headquarters.

9.02. Conclusions. The plan as presented in this appendix reflects the views of the general public to the extent that they are compatible with current laws, regulations, and policies on this matter. The Shoreline Management Plan presented in this Appendix is considered to provide the greatest recreational benefit to all the public and to balance bona fide recreational needs against the physical limitations and aesthetic qualities of the lake and surrounding lands. The plan has taken into consideration both the present and anticipated recreational needs of the area.

9-03. Review. The Shoreline Management Plan presented in this Appendix is a flexible and working document. The Resident Engineer will continually monitor the needs of the recreational users of the lake and recommend revisions that will minimize conflicts between various interests. Public involvement will be encouraged in advance of recommending any major revision to this plan.

9-04. Recommendation. Approval of this plan is recommended.

TABLE ROCK LAKE

ALLOCATION MAPS

EXHIBIT I

CESWL-CO-L DEPARTMENT OF THE ARMY SWLOM 1130-2-33
Little Rock District, Corps of Engineers
P.O. Box 867
Little Rock, Arkansas 72203-0867

Office Memorandum 15 September 1992
No. 1130-2-33

Project Operations
SHORELINE MANAGEMENT AT CIVIL WORKS PROJECTS

1. Purpose. This memorandum provides specific policies and procedures regarding shoreline management activities required on projects in the Little Rock District.

2. Applicability. This memorandum applies to all water resource development projects in the Little Rock District.

3. References.

a. 36 CFR 327.30 published 27 July 1990.

b. ER 1130-2-406 dated 31 October 1990.

4. Policy.

a. Resident Engineers/Managers will protect and manage the shoreline of the water resource development projects under their jurisdiction. They will promote the safe and healthful use of the shoreline by the public while maintaining environmental safeguards to ensure a quality resource for future public use. Public pedestrian access to, from, and along these shorelines will be preserved.

b. Shoreline Management Plans will be developed for Beaver, Bull Shoals, Dardanelle, Greers Ferry, Millwood, Norfork, and Table Rock Lakes. These plans will consider the provisions of the currently approved lakeshore management plans which were prepared to address shoreline uses related to mooring of private floating facilities (boat docks) and related activities. The lakeshore management plans provide for a balance between private use and resource protection, and they were periodically reviewed and updated to reflect local norms and conditions. For this reason, the lakeshore management plans will serve as a basis for developing the Shoreline Management Plans required by ER 1130-2-406.

This memorandum rescinds LRDOM 1130-2-11 dated 28 May 1985, LRDOM 1130-2-15 dated 10 March 1986, and LRDOM 1130-2-18 dated 25 June 1987.

Exhibit II

c. Current policy statements for Blue Mountain, Clearwater, DeQueen, Dierks, Gillham, Nimrod, and Ozark Lakes will be reviewed and any authorized shoreline uses addressed. Since there were no private floating facilities (boat docks) on these lakes as of 13 December 1974, none will be permitted in the future.

d. Policy statements will be developed for Navigation Pools 1,2,3,4,5,6,7,8,9 and 13. Private shoreline uses will not be permitted on any of the lands owned in fee on these projects. Private uses of other portions of the shoreline of these projects may require a Section 10 or Section 404 Department of the Army Permit.

e. The currently approved lakeshore management plans and/or policy statements will remain in effect until the Shoreline Management Plans and updated policy statements have been approved by the Division Engineer, Southwestern.

f. The size, configuration, and anchoring plan for docks will be approved by the Resident Engineer/Manager. The maximum size of private floating facilities, including community docks, will be 20 slips for safety reasons and to assure maneuverability of the dock during periods of pool fluctuation. Docks should not extend out from the shore more than one-third of the cove width at conservation pool elevation. Existing docks larger than 20 slips will be grandfathered if safely maintained and shoreline is not needed for a higher purpose.

g. An individual may have a maximum of two slips in any new dock. Valid state boat registration will be necessary to verify slip needs. An individual may have only one of the three following items to preclude usurpation of the shoreline. The applicant may have either:

(1) A permit for a private floating facility.
(2) A permit for a mooring buoy.
(3) Ownership of a slip in a community dock.

h. The Little Rock District encourages the use of community boat docks as a means of limiting the proliferation of individual docks on the project. The following items will be considered when granting permits for community boat docks:

(1) The permit for a community dock will be issued to the person designated in an association agreement, or similar document, as the authorized representative for the slip owners in the dock. Valid boat registrations will be used to verify slip occupancy/ownership. Evidence must be furnished with the application assuring that the community dock association agreement and contracts for slip ownership have been notarized and filed with the county clerk. See Appendix E.

(2) The Resident Engineer/Manager will assess conditions and consider designating the zone for community docks only when the number of docks in a given zone reaches 50 percent of the estimated capacity of that zone (at conservation pool elevation) or when development and/or growth patterns indicate high demand potential for mooring facilities. Compatibility with existing docks and adequacy of access roads and parking facilities will be considered before designating a zone for community docks only.

i. Underground electrical service lines are encouraged, but in consideration of rocky terrain, soil conditions, and pool fluctuation, excavation may be determined to be impractical. Under these restrictive conditions, overhead electrical lines will be permitted. Electrical service lines must meet all applicable electrical codes, regulations, and clearance requirements. In those states where electricians are licensed, registered or otherwise certified, a copy of the electrical certification (Appendix F) must be provided to the Resident Engineer/Manager before a Shoreline Use Permit can be issued or renewed. In states where electricians are not licensed, registered or otherwise certified, the electrical certification form may be furnished by an electrical contractor.

j. Docks will be spaced a minimum of 100 feet apart. This distance, measured at the conservation pool elevation, will provide increased fire protection, personal privacy, shoreline aesthetics, fishing access, and general recreational use. The open space will also facilitate frequent maintenance of docks, cables, stiff-arms, and related features of the dock. Sufficient open space will be maintained for simultaneous maneuvering of swimmers and several watercraft in a safe manner. Lesser spacings that have been previously approved will be grandfathered.

k. The facilities in limited development areas will not occupy more than 50 percent of the total shoreline bearing that designation. Density will be determined by measuring linear feet of shoreline in the zone and comparing it to the width of the facilities.

l. Adjacent landowners at Beaver Lake, Bull Shoals Lake, Lake Dardanelle, Greers Ferry Lake, Millwood Lake, Lake Norfork and Table Rock Lake must obtain a permit from the Resident Engineer/Manager prior to modifying the vegetative characteristics of project lands. This requirement applies to mowing and/or removal of grasses, shrubs, and small trees. Permits for vegetative modification will not be granted to individuals in areas designated as public recreation areas, including buffers, or on lands allocated as prohibited access areas. Vegetative modification is subject to the following conditions:

(1) Only hand-operated tools and noncommercial riding lawn mowers may be used. The use of heavy equipment, such as tractors or bulldozers, is not permitted.

(2) Only dead or diseased trees previously inspected by the Resident Engineer/Manager or his representative may be cut. Any felled trees must be removed from project lands for disposal. No burning by individuals will be allowed on project lands.

(3) Healthy trees, larger than 2 inches in diameter (measured at chest height), may not be removed. Flowering trees or shrubs, such as dogwood or red buds, may not be cut regardless of their size. Trimming of healthy trees to obtain a view is prohibited. In certain cases, the Resident Engineer/Manager may restrict the cutting of trees less than 2 inches in diameter if it is determined it would create an erosion problem or similar adverse impact.

(4) The limits of vegetation modification are dependent on the proximity of habitable structures to the project boundary. Maximum allowable limits of vegetation modification are tabulated below:

Beaver	100 feet
Bull Shoals	200 feet
Dardanelle	200 feet
Greers Ferry	50 feet
Millwood	200 feet
Norfork	100 feet
Table Rock	200 feet

The actual limits of vegetation modification in each case will be determined by the Resident Engineer/Manager, or his representative, and defined on the shoreline use permit.

(5) Shoreline use permits may be issued to authorize pedestrian access paths from adjoining private property to the shoreline. These paths must follow meandering routes to reduce erosion and to minimize the need for removal of grasses, shrubs and small trees (less than 2 inches in diameter measured at chest height). It is recognized that paths constructed to blend into their natural surroundings will, by necessity, vary in width depending on physical conditions along the meandering path route. Pedestrian access paths to the shoreline should not exceed 6 feet in width, measured at their widest point(s). The shoreline use permit does not convey the right to construct any structures, such as bridges of steps, in connection with the path. If structures such as bridges or steps are proposed, a real estate outgrant will be required and must be obtained before any work is started.

(6) There may be reaches of the shoreline that are popular areas for public use or have potential for public use. Many of these areas have been kept mowed by the adjacent landowners and it may be in the best interest of the general public to allow this practice to continue at those locations where substantial public use is made possible in part by the clearing and mowing. The Resident Engineer/Manager, or his representative, will consider each case on an individual basis. The shoreline use permit issued for this purpose will contain the added condition that, "All lands covered by this permit will remain open at all times for use by the general public."

(7) Requests for shoreline improvements involving landscaping activities must be accompanied by a detailed or well-designed landscape plan. The plan will provide for better management of the area for the enhancement of wildlife propagation, protection of the aesthetics and prevention of erosion.

5. Shoreline Management Plans.

a. Preparation and Approval. A Shoreline Management Plan will be prepared for each project where private floating facilities (boat docks) and/or other private shoreline uses are permitted. The plan will be prepared as a separate document, and it will become a part of the Operational Management Plan (OMP) after approval by the Division Commander. There will NOT be a moratorium on accepting applications during the Plan development and approval period.

b. Scope and Format. The Shoreline Management Plan will include the following detail items:

(1) Maps illustrating shoreline allocations by color code.
(2) Related rules and regulations.
(3) Discussion of permitted private uses.
(4) Permit application procedures.
(5) Permit revocation procedures.
(6) Provision for specific management adjustments, including:
(a) Unique lake characteristics which limit application of standards.
(b) Project land acquisition policy.
(c) Community docks only requirements.
(d) Other project specific conditions which may arise.

c. Matters Not Addressed. Requests for activities not specifically addressed in the Shoreline Management Plan will be sent to the Chief, Construction-Operations Division, for review, coordination, approval, or referral to higher headquarters.

d. Shoreline Allocation. These allocations extend from the water's edge to the project boundary for land-based uses and from the shoreline waterward for floating facility considerations. The classifications will be delineated on the "Official Map" conspicuously displayed or readily available for viewing at the Resident Office. No changes will be made to the Official Map except through the formal updating process. The entire shoreline will be allocated within one of the following classifications.

(1) Limited Development Areas. These areas are shown in red on the shoreline allocation maps. Private facilities and/or activities including vegetation modification and foot-path construction are allowed.

(2) Public Recreation Areas. Public recreation areas and adjoining buffer areas are shown in green on the shoreline allocation maps. Private shoreline use facilities and/or activities are not permitted within designated or developed recreation areas or adjoining buffer areas.

(3) Protected Shoreline Areas. The shoreline allocation maps do not designate these areas with a color code. Shoreline Use Permits will not be issued for floating facilities in these zones. Vegetation modification and foot-path construction may be permitted in these areas. The Resident Engineer/Manager must determine that the requested land use will not adversely impact the environment or physical characteristics of the zoned area prior to issuing the shoreline use permit.

(4) Prohibited Access Areas. Prohibited access areas are shown in blue on the shoreline allocation maps. No shoreline use permits will be issued in Prohibited Access Areas. These areas typically include hazardous zones near dams, spillways, hydroelectric power stations, or water intake structures. Public access is not allowed in these areas for health, safety, or security reasons.

e. Public Participation in Plan Formulation . Public participation will be an integral part of the development and updating process for Shoreline Management Plans. Public input will be solicited through various means and techniques including public meetings, group workshops, and open houses. These sessions will be conducted at the Resident Offices or at convenient locations in the vicinity of the project. Resident Engineers/Managers will maximize the use of the news media to alert citizen and conservation organizations, Federal, state and local natural resource management agencies, commercial concessionaires, congressional liaisons, shoreline use permittees, and other concerned entities of the opportunity to participate in this process. Notices of public involvement opportunities will also allow for a 30-day period for receiving written public comments regarding the Plan or its revisions.

f. Plan Review and Updating Procedure. Shoreline Management Plans will be reviewed at least once every 5 years. The Plan may be supplemented more frequently should regulations, project conditions, or management objectives change significantly. The District Engineer may approve minor administrative revisions to the Plan when the revisions are consistent with ER 1130-2-406 or 36 CFR 327.30. Addition and/or deletion of Limited Development Areas are not minor revisions. Revisions of this nature require public involvement and approval by the Division Commander.

6. Instruments for Shoreline Use.

a. Shoreline Use Permits. Resident Engineers/Managers will use ENG Form 4264-R to evaluate and approve requests for private floating facilities and activities on the shoreline of projects with approved Shoreline Management Plans. Permits will be issued on ENG Form 4264-R. These permits will also be used to approve mowing for fire protection, foot-path construction, and similar activities which do not involve a change of land form or involve placement of permanent structures on project land. Multiple permitted uses should be included in the same permit. Administrative procedures regarding permit fees, terms, and transfer are furnished below:

(1) Permits should be issued for a period of 5 years to minimize administrative costs. Permit and annual inspection fees will be paid when the permit is issued. Fees for Shoreline Use Permits will be established by a separate regulation and are nonrefundable.

(2) Shoreline use permits are non transferable. The permits become null and void upon sale or transfer of the permitted facility or by the death of the permittee(s). Permits for facilities and/or activities in limited development areas and for grandfathered activities or facilities may be issued to the new owner(s) at the same location.

b. Department of the Army Permits. Requests involving dredging, placement of fill, construction of fixed or combination fixed-floating structures and discharge of dredged material will be evaluated under authority of Section 10 and/or Section 404 permit requirements by the Regulatory Branch, Construction-Operations Division. Applications to place only private floating facilities (boat docks) on the navigation pools of the Arkansas River (with the exception of Dardanelle and Ozark Lakes) will be evaluated under authority of Section 10 permit requirements. Shoreline Use Permits are not required for facilities covered by a Section 10 or 404 permit.