

Presented to: Table Rock Lake Oversight Committee
Dr. Tamera S. Jahnke, Chairperson
FACA # 84572

Presented by: Fred Greene, permit holder
RE: USACE TRL SMP "No-Wake" buoys

Issue: *Conflicting portions of the SMP draft, the Environmental Assessment draft and the FONSI draft concerning "No-Wake" buoys" on Table Rock Lake.*

Abbreviations: Table Rock Lake (TRL), U S Army Corps of Engineers (USACE), Shoreline Master Plan (SMP, Table Rock Lake Oversight Committee (TRLOC), Finding of No Significant Impact study (FONSI), Environmental Assessment (EA).

Reference material: SMP draft Section titled "Private Floating Facility permits", sub title Private Docks paragraph 3 page 14, SMP draft Section titled "Private Floating Facility permits", sub title Community Docks paragraph 2 page 14, SMP draft Section titled "Regulatory Buoys" page 40, Initial PowerPoint presentation to TRLOC slide 17, EA draft page 9, Draft FONSI page 3 bullet 20.

Purpose: Eliminate the conflicting statements regarding "No-Wake" buoys found in the various drafts titled: SMP 2019, EA and FONSI.

COMMITTEE ACTION: *Recommend the USACE Table Rock* 1) correct conflicts within the SMP and supporting drafts and 2) work with the Missouri Highway Patrol, Water Patrol Division to establish a process for private and community dock permit holders to apply for "No-Wake" buoys.

Discussion and reasoning:

Tab 2: The SMP draft 2019 on page 14 paragraph two, Private Docks states that "Dock owners may not... or, (c) install buoys to restrict the speed of passing boats". The SMP draft 2019 on page 14 paragraph five, Community Docks states that "Members may not ... or, (c) install buoys to restrict the speed of passing boats".

Tab 3: The SMP draft 2019 on page 40 under Regulatory Buoys in the last sentence states "The Corps of Engineers does not recommend the installation of "No Wake" buoys to restrict the speed of passing boats at private/community docks."

Tab 4: The initial PowerPoint presentation states on slide 13 that Alternative 4(A) – Revised Neutral Changes (Proposed Preferred Alternative) is the USACE preference for the SMP for TRL 2019 version.

Tab 5: In the initial PowerPoint presentation given to the TRLOC on slide 17, it shows a reference to "No Wake" buoys for private docks not being allowed. There is no reference to community docks and "No Wake" buoys in the slide presentation. The slide shows the private dock "No Wake" reference lined out potentially implying that for private docks, this provision has been deleted.

Tab 6: The draft EA on page 9 under the heading 3.5 Revised Neutral Change (Alternative 4a) (preferred) in the last bullet point states “Any existing “No Wake” buoys at private floating facilities will be allowed to remain.”

Tab 7: In the draft FONSI, page 3, bullet 20 (second from last), states “Existing “No Wake” buoys at private floating facilities will be allowed to remain until December 31, 2020.”

These differences in language are creating confusion on the part of both Private Dock and Community Dock permittees. Since the water within TRL is owned by the State of Missouri and the USACE has been contracted with the State of Missouri to managed TRL, jurisdictional issues over “No Wake” buoys occur. The USACE needs to make it clear what they mean and what the USACE’s intentions are regarding “No Wake” buoys and private floating facilities.

As a committee, the TRLOC is charged with making recommendations. By providing potential solutions, the TRLOC is functioning in its Advisory Role as outlined in FACA regulations. In that spirit and within this submission, the TRLOC is making specific recommendations for the USACE to consider that assure compliance with T36, C3, S327 of the CFR.

Specific USACE Table Rock actions:

- 1) **Accept the recommendations of the TRLOC and implement their recommendations**
- 2) Within the draft SMP page 14 in the second full paragraph first sentence, the USACE needs to correct the language referring to a private dock holder as a “member”.
- 3) Within the TRL SMP and related documents, assure comments remain within the jurisdictional limits of the USACE’s responsibilities associated with the management of what happens on the water within TRL for the State of Missouri
- 4) Work with the Missouri Highway Patrol, Water Patrol Division to develop a process for private and community dock permittees to apply for “No Wake” signs and buoys.

Submitted to the USACE Table Rock Lake

Dr. Tamera S Jahnke, Chairperson
FACA # 84572

Date submitted

TO WAKE BUOY OR NOT WAKE BUOY, THAT IS THE QUESTION

