

Presented to: Table Rock Lake Oversight Committee
Dr. Tamera S. Jahnke, Chairperson
FACA # 84572
Presented by: Fred Greene, permit holder
RE: Erosion prevention into Table Rock Lake

Issue: Cedar trees within LDAs which prevent other vegetation from growing to prevent erosion of soil into TRL especially during period of heavy rains.

Abbreviations: Table Rock Lake (TRL), Shoreline Master Plan (SMP), U S Army Corps of Engineers (USACE), Limited Development Area (LDA), Table Rock Lake Oversight Committee (TRLOC), Missouri Department of Conservation (MDC), Freedom of Information Act (FOIA)

Reference material: TRL SMP draft 2019 page 10 and page 40, Summary of TRL Focus Group recommendations, Meeting memorandum from TRL SMP focus group 2015 meetings 1, 2 and 3, MDC letters to the USACE dated 12/14/12, 8/29/13 and 4/29/15

Purpose: To allow for vegetation modification plans developed in conjunction with a licensed landscape architect and designed to reduce soil erosion into TRL from shoreline use permitted areas within the LDAs.

COMMITTEE ACTION: **Recommend the USACE Table Rock** allow, **ONLY** within LDAs covered by shoreline use permits, vegetation modification plans designed to reduce erosion of soil into TRL which includes the removal of any cedar trees and their replacement with native warm season grasses and forbs as recommended by the MDC.

Discussion and reasoning:

Tab 2, Item 1: According to the proposed 2019 SMP for TRL, page 10 states that only 12% of the shoreline is within the LDA designation. These areas are the only areas where private activity such as shoreline use and private floating facility permits may be granted. That said, 88% of the shoreline around TRL is not part of this discussion.

Tabs 3,4 & 5: In 2015, in preparation for the new TRL SMP, the USACE hosted three Focus Groups. According to meeting documents, the purpose of these groups "...was to elicit input from stakeholder perspectives via focus group members on potential updates to the current SMP". The three groups were; 1) Vegetation modification, 2) Docks and 3) Shoreline allocations. To the USACE's credit, these are arguably, the three most contentious issues within the development of a new SMP.

Tab 6: After three meetings, each group made recommendations. Of the recommendations made by the Vegetation group, one made it into the 2019 TRL SMP draft. This concerned the USACE approval of removing dead or diseased trees using photographic proof.

Tab 7: Throughout the TRL SMP process, the MDC has been actively involved. In multiple letters and communications provided by the MDC in reference to a FOIA request, that Department's concerns have been consistent. 1) Identify measures that will increase water quality at TRL, 2) minimize impacts to the forest, fish and wildlife resources, 3) preserve the riparian buffer zone at the lake's edge, 4) assure steps

are taken to ensure invasive species from other lakes are not allowed to infiltrate TRL and 5) provide sufficient water flow to support the Missouri fish hatchery.

Tab 8: MDC, through MDC employee Greg Cassell, participated in the Vegetation Focus Group. Just prior to these meetings, the MDC reiterated their concerns to the USACE in a letter dated April 29, 2015. This is the letter the USACE appears to reference in the TRL SMP.

The MDC's letter actually says, "If the opportunity exists to improve upland wildlife habitat (for example, removing cedar and replanting native warm season grasses and forbs), Department biologists are available to provide planning and technical assistance". The USACE's paraphrase, shown on page 40 (**Tab 2, item 2**) under the "Cedar Tree" paragraph reads "MDC staff suggested that cedar trees that are not in riparian zones or on slopes could be removed to permit the growth of native warm season grasses; however, for these grasses to perform well, they cannot be mowed to yard like conditions."

Tab 8: "Removing cedar..." in the 4/29/15 letter is the only reference to cedar trees in MDC correspondence available through the FIOA. Offering "planning and technical assistance" indicates the MDC views removing cedar trees as supporting their goals. The letter from MDC does not place ANY restrictions on the removal of cedar trees unless the trees are in a riparian zone. The USACE's paraphrase is accurate in stating "cedar trees...could be removed...", but INACCURATE in implying the MDC requested or implied any size restrictions.

Despite MDC recommendations and the USACE's understanding of those recommendations as shown in the TRL SMP, throughout this process, the USACE's position has never wavered. Cedar trees are vital and may never be removed regardless of their location or their size unless they are no more than 2 or 3" in diameter at some height above ground level.

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 recommendation of the TRLOC and implement their recommendations.**
- 2) Allow a shoreline use permit holder to develop a vegetation modification plan which allows for the removal of any cedar tree not in a riparian zone and the planting of native warm season grasses or forbs to reduce the potential for soil erosion into TRL. This plan must be developed by a landscape architect practicing under a Missouri license.

Submitted to the USACE Table Rock Lake

Dr. Tamera S. Jahnke, Chairperson
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Date Submitted

CEDAR TREES: FRIEND OR FOE

