

Regulation
No. 1130-2-41

15 October 1997

Project Operations
COMMERCIAL REMOTE SERVICE DOCKS IN MARINA BUFFER AREAS

1. Purpose. This document prescribes procedure for the management of commercial remote storage facilities in marina buffer areas. Its purpose is to protect existing park shorelines from commercial dock storage expansion, reduce marina related traffic on interior park roads, and enable convenient public utilization of quality commercial boat storage services outside of park areas.
2. Applicability. This regulation applies to Table Rock Lake only.
3. References.
 - a. ER 1130-2-540, Environmental Stewardship Operations and Maintenance Policies, 15 Nov 96.
 - b. ER 405-1-12, Real Estate Handbook, 30 Sep 94.
 - c. 36 CFR 327.30, Shoreline Management at Water Resources Development Projects Administered by the Chief of Engineers, 27 Jul 90.
 - d. ER 1130-2-406, Shoreline Management at Civil Works Projects, 31 Oct 90.
 - e. SWLOM 1130-2-33, Project Operations Shoreline Management at Civil Works Projects, 15 Sep 92.
 - f. SWLOM 405-1-5, Real Estate, Outgrants, Limited Motel/Resorts/Campgrounds, 9 Jan 93.
4. Objective. The objective of this policy is to establish consistent guidance for evaluation and approval of commercial remote service docks which involve use of Corps-managed land and water areas.
5. Policy for Commercial Remote Service Dock Operations. Sites for the placement of commercial remote service dock operations may be authorized within marina buffer areas as established by the approved project shoreline management plan. Remote lease expansion sites may be granted without advertising to established commercial concessionaires conducting business within the marina buffer. All potential sites within existing marina buffer areas

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have been identified by project personnel and approved following a public involvement process. Once approved, future requests may be authorized without the need for further public involvement. Establishment of these remote expansion areas grants lessees non-exclusive use of lands and waters necessary to furnish support facilities and services for the operation.

6. Qualifying Conditions.

a. The purpose of the commercial remote service dock is boat mooring only. No other commercial activities will be permitted in connection with the dock. Storage of replacement flotation material, cables, boat trailers and/or other materials will not be permitted at the remote site.

b. Remote lease sites and facilities constructed thereon are available for use by the general public to the same extent as facilities within the prime lease site. Locations approved for the placement of remote docking facilities do not require publicly dedicated road access. However, the concessionaire must provide proof of unrestricted access for marina customers. Convenient access to expansion docks will generally be accomplished by foot traffic; however, consideration will be given to authorizing an access road and parking area on government project at the expansion site, if appropriate.

c. Rental rates at the remote service facility will not exceed those charged for comparable slips in the prime lease area. All arrangements will be reviewed and the price approved by the Chief, Real Estate Division. Rental payments to the Government will be computed by the Graduated Rental System with the cost of all facilities at the remote site added to the Gross Fixed Assets of the prime lease.

d. The lessee is responsible for obtaining electrical service. The electric company will be granted right-of-entry on Government land by letter permit issued by Real Estate Division. Electrical service should be underground and underwater whenever possible.

e. The remote service facility dock will remain the property and responsibility of the concessionaire. The operation of the remote service facility dock will be subject to the same conditions as the commercial concession lease. This would include, but not be limited to, nondiscrimination provisions, rental payments, safety requirements and rental rates.

7. Request Requirements.

a. Requests for remote service dock within the marina buffer area must be submitted to the Chief of Real Estate, with a copy furnished to the Operations Project Manager. Each request for a lease expansion site will be coordinated with the Chief, Construction-Operations Division and if approved, will be added to the lease by a supplemental agreement issued by the Chief, Real Estate Division.

b. Documentation that free and open access is afforded the public will be furnished to the Chief, Real Estate along with the plans, specifications, and proof of insurance for the remote service docks. These items will be submitted for approval in the same manner as a request to expand the facilities in the prime lease area.

c. Individuals desiring a dock to serve their needs within the marina buffer area will proceed through the concessionaire. It is the concessionaire's decision whether to provide remote service mooring facilities in conjunction with his operation.

d. Launching ramps may be furnished if there is a proven need and the ramp will be open to the public without charge. Launching ramps, parking facilities, and courtesy docks will be constructed to Corps of Engineers Design Standards and Specifications.

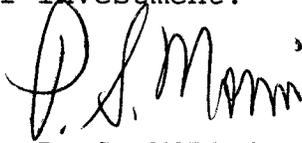
e. Personal services provided on public land and water under the provision of the lease are limited to the launching and retrieving of boats stored in the facility.

f. Placement of a remote service dock within the marina buffer area will not serve as a basis for expanding the marina buffer from that point.

g. Commercial remote service docks providing boat storage to limited motel/resort/campground facilities will be permitted to develop and expand in properly allocated areas within the Marina Buffer Area. These actions will be reviewed and approved in accordance with established procedures as specified in LRDOM 405-1-5.

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8. Responsibilities. It is the responsibility of the Chief, Construction-Operations Division to make sites available for leasing. The Chief, Real Estate Division, will be responsible for issuing and administering the leases. The lease term will be commensurate with the amount of investment.



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