

CESWL-CO-RE/ON DEPARTMENT OF THE ARMY SWLR-405-1-13
Little Rock District, Corps of Engineers
P. O. Box 867
Little Rock, Arkansas 72203-0867

Regulation
No. 405-1-13

24 November 1997

Real Estate
DRY STORAGE OPERATIONS ON TABLE ROCK LAKE

1. Purpose. This document prescribes procedure for the development of dry storage operations on Table Rock Lake for the purpose of providing the public with convenient high quality boat storage accommodations in a manner that will protect the environmental and aesthetic integrity of the shoreline.

2. Applicability. This regulation applies to Table Rock Lake only.

3. References.

a. SWDR 1130-2-7, dated 1 Nov 78, subject: Project Operation, Administration of Reservoir Lands and Waters.

b. ER 1130-2-540, dated 15 Nov 96, subject: Environmental Stewardship Operations and Maintenance Policies.

c. ER 405-1-12, Chapter 8, dated 30 Sep 94, subject: Real Estate Handbook.

d. 36 CFR 327.30, dated 27 Jul 90, subject: Shoreline Management at Water Resources Development Projects Administered by the Chief of Engineers.

e. SWLOM 1130-2-33, dated 15 Sep 92, subject: Project Operations Shoreline Management at Civil Works Projects.

f. Design Memorandum No. 17-E, dated Apr 93, subject: Updated Master Plan for Development and Management of Table Rock Lake, Appendix F Shoreline Management Plan.

g. SWLOM 405-1-5, dated 9 Jan 93, subject, Real Estate, Outgrants, Limited Motel/Resorts/Campgrounds.

4. Objective. The objective is to establish consistent guidance for evaluation and approval of dry storage operations which involve use of Corps-managed land and water areas.

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5. Policy for Limited Dry Storage Operations. Limited Leases may be granted without advertising to residential developments situated on land contiguous to project lands for the purpose of leasing land for the operation of a dry storage marina facility. The lease grants the lessee non-exclusive use of lands and waters necessary to furnish support facilities and services for the operation. Qualifying conditions and requirements are:

a. The dry storage building will be constructed on private property. The location of the facility, if placed within a subdivision or condominium complex, must be designated for commercial development on the plat recorded in the county courthouse and conform to applicable zoning. Requests to add Limited Development Area to allow additional construction of private boat docks will not be approved at locations deemed suitable for the development of dry storage facilities. Future rezoning requests to create additional Limited Development Area for the placement of Private Floating Facilities will not be approved.

b. Operation of the dry storage facility must be authorized by declaration of covenants and restrictions and must remain under the direct control and supervision of the developer or property owners association as provided for in the declaration of covenants and restrictions and recorded with county real property documents. Subleasing the facility and its operation is not permitted. Operation under a contract may be allowed. The operator of the dry storage building must be designated in the covenants and restrictions of the subdivision.

c. Launching ramps, parking facilities, and courtesy docks will be constructed to Corps of Engineers Design Standards and Specifications.

d. 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.

e. Services and facilities offered under the provisions of the Limited Lease may only be provided to bona fide residents and property owners of the development. The developer or home owners association must provide a bill of assurance describing the limited nature of the commercial operation as boat storage only.

f. Limited Leases for dry storage services and facilities must be situated within Limited Development Areas as designated in the project shoreline management plan.

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g. Courtesy docks constructed in support of the dry storage operation must be open in design and without roof. The number of allowable slips and parking spaces authorized within the leased area in support of the dry storage facility will be on the ratio of one wet slip or parking space per 10 dry slips. The maximum number of wet slips will not exceed 20. Boats may not be stored in courtesy docks in excess of 24 hours.

h. Limited dry storage leases will not be permitted within marina buffer areas.

i. Since much of the income producing facilities are on private land a mixed concession lease will be required.

6. Policy for Limited Motel/Resort Facilities. Authorization for the placement of dry storage facilities at Limited Motel/Resort Lease sites may be given based upon a favorable assessment and determination conducted by the Little Rock District. The following guidelines will apply to the development and operation of resort facilities:

a. The dry storage building will be constructed on private property. It is for the use of bona-fide overnight guests of the resort.

b. Operation of the dry storage facility must remain under the direct control and supervision of the resort.

c. Launching ramps, parking facilities, and courtesy docks will be constructed to Corps of Engineers Design Standards and Specifications.

d. 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.

e. Limited Resort Leases with dry storage facilities must be situated within Limited Development Areas as designated in the project shoreline management plan.

f. Courtesy docks constructed in support of the dry storage operation must be open in design and without roof. Boats may not be stored in courtesy docks in excess of 24 hours.

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7. Responsibilities. It is the responsibility of the Chief, Construction-Operations Division to review requested sites for potential leasing. The Chief, Real Estate Division, will be responsible for issuing and administering the leases. Chief, Construction-Operations Division will review changes to existing leases and offer recommendations to Chief Real Estate Division. The lease term will be commensurate with the amount of investment.



P. S. MORRIS
Colonel, Corps of Engineers
District Engineer

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