

Beaver Lake MP/SMP Questions and Answers

Responses to questions below are based on the draft Master Plan and Shoreline Management Plan

Q1. Are changes to the draft MP/SMP currently being considered before the plan is finalized?

- A. Yes, comments received by April 13, 2018 will be reviewed and utilized in the development of the final Master Plan and Shoreline Management Plan.

Note: Adjustments to specific requirements in the draft plans are anticipated based on public comments and further management review.

Q2. If I own 75 feet or more of adjacent land that is in LDA and my proposed location is within 200 feet from the edge of my property, can I get a dock?

- A. Yes, according to the draft SMP, you may apply for a new boat dock if you meet these requirements. However, there are also additional site specific requirements that must be met in order to obtain approval for a boat dock. Such requirements would include that the proposed dock would not exceed 1/3 width of the cove, have adequate water depth at proposed location, and is not in an LDA at maximum density, etc.

Q3. If I only own 50 feet of adjacent land that is in LDA and my proposed location is within 200' from the edge of my property, can I get a dock?

- A. Through public interaction and comments received during the SMP update process, it was determined that a grace period would aid in implementing the adjacent land ownership requirement. As a result, the draft SMP provides for a grace period that allows adjacent property owners who own LESS than 75 feet adjoining the LDA to request a dock permit for a determined period of time. Two conditions that must be met are that the adjacent property was owned by the applicant prior to January 1, 2018 and the request for the permit was submitted prior to September 1, 2019. After September 1, 2019, applicants who own less than 75 feet adjacent to the LDA cannot be approved for a dock permit.

Q4. I live in a subdivision on Beaver Lake but do not own adjacent property. Our subdivision has common property which is used to access an existing community dock. There is plenty of zoning on the shoreline for another dock. Can I build a new dock and use the common property as my access to public land?

- A. No, according to the draft SMP, under the "Dock Access Requirements" section, new permits associated with new dock construction will only be issued if all owners in the dock are adjacent landowners to Government property at the dock site.

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Q5. *I want to buy a slip that is for sale on an existing dock. The legal access is a County road-end; can I buy the slip?*

A. Yes, you may buy a slip in an existing permitted dock that was originally approved with County road-end access. However, according to the draft SMP, dock owners that utilize county road access will not be considered for slip additions.

Q6. *I do not live locally, but I would like to buy a slip that is for sale. The legal access is a recorded perpetual easement that is greater than 200 feet from the community dock; can I buy one slip and add a new slip?*

A. Yes, you can buy a slip in an existing permitted dock that was originally approved with perpetual easement access greater than 200 feet from the dock. However, based on the draft SMP, a multi-owner dock with access greater than 200 feet would be considered a non-conforming facility and therefore, would not be eligible for modifications, including slip additions, and appurtenances (pg. 21, 15-33).

Q7. *I currently own adjacent land to Beaver Lake and have a 2 slip private dock that is within 200 feet of my property line. My family members want to add 2 additional slips to my dock to make it a community dock. Can I add on to my dock?*

A. Yes, if the family members are adjacent landowners to public property and meet all other access requirements, they could request approval for additional slips to an existing dock. If these family members do not own land adjacent to public property, the SMP does not specifically state whether or not you can use a new perpetual easement for access to an existing dock.

Q8. *I currently own a swim dock (or mooring buoy) on Beaver Lake. According to the interactive map on your website, my area is considered "Full" based on the maximum density equation. Can I convert my swim dock to a private 1 or 2 stall dock?*

A. According to the draft SMP, you would not be able to convert your swim dock or mooring buoy to a private 1 or 2 stall dock if the area is considered "full" based on the maximum density area. When a LDA or a portion of a LDA reaches maximum density, notice will be given to the public and facility owners in that area that no additional facilities (docks) or additions (slips) will be allowed.

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- Q9. *Can I receive approval to lengthen my existing slips or widen my swim deck if my dock is located in an area that is deemed “full” based on the maximum density equation?***
- A. The draft SMP does not specifically state whether or not you can widen (or lengthen) existing slips or swim decks in areas that have reached maximum density. However, the draft SMP does state that when an LDA or a portion of an LDA reaches maximum density, notice will be given to the public and facility owners in the area where no additional facilities (docks) or additions (slips) will be allowed.
- Q10. *Ten individuals co-own a parcel of land adjacent to Beaver Lake. All names are on the deed. The public land adjacent to our property is LDA and dock location is within 200 feet. We have over 75 feet bordering LDA. Can we put in a 20 stall community dock?***
- A. Yes, according to the draft SMP, new permits associated with new dock construction can be issued to adjacent landowners to Government property at the dock site. Also, the draft SMP states that if the adjacent land is jointly-owned, the dock owners must provide documentation indicating their interest in the jointly-owned property. In addition, the draft SMP allows for 1-20 slips.
- Q11. *I own land that is adjacent to the Corps boundary line. The shared boundary is over 75 feet and has sufficient dock zoning (or LDA). However, after review of the draft plan, it appears the distance from the boundary to the proposed dock location would be greater than 200 feet. What can I do?***
- A. The draft SMP would not allow you to apply for a dock permit if your boundary is greater than 200 feet from the proposed dock site at conservation pool elevation 1120 ft. msl. According to the draft SMP, under the “Dock Access Requirements Section”, all new slips and dock sites at conservation pool shall not be greater than 200 feet from the point of legal access. Applicants must be able to provide a copy of a land deed showing ownership of adjacent private property within 200 feet of the dock site.
- Q12. *Will some LDA be changing to a different shoreline allocation?***
- A. Yes. According to the draft SMP, a small portion of shoreline previously allocated as LDA was changed to a different shoreline allocation in the draft plan, depending on known activities taking place adjacent to Government property. LDA with existing docks were not changed to a different allocation.
- Q13. *After reviewing the draft SMP, I noticed that swim decks must be uncovered. Would it possible to install a partial cover over a new swim deck?***
- A. According to the draft SMP, you would not be authorized to install any roofing over a swim deck. Under the “Swim Decks” section of the draft plan, it states that swim decks must be uncovered. This requirement is to assure that the addition is utilized for its stated and requested purpose, a platform from which to swim.

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Q14. *I've had decking on my boat lift for years and it's never been a problem. Will I be required to remove the existing decking and request to install metal walk boards? Are there any limitations on dimensions/materials?*

- A. The current SMP does not address decking on boat lifts to facilitate access to the vessel, installing a boat cover, etc. Without parameters, in some cases decking has been installed using a wide variety of materials that may not be structurally adequate and that vastly exceeds the minimum necessary for boat access. Under the draft SMP, boat lifts may contain metal walk boards designed by a boat lift manufacturer and must be approved in advance of installation. Existing decking may need to be removed. Dimensional lumber, composite decking, and plywood-type materials will not be considered. Approved walk boards will only be authorized for the purpose to assist in providing access for the vessel.

Q15. *I'm considering requesting a new boat dock. I meet all of the requirements and have dock zoning. My only concern is the terrain is fairly steep. I'm confident I can make it work if allowed to install steps down the shoreline. Is steep terrain a reason to deny a dock request?*

- A. According to the draft SMP, under the "Stairs/Steps" section, it states that authorization to build new steps/stairs for access to an approved dock location will be considered on a case by case basis. An outgrant for steps/stairs will only be considered when shoreline conditions have proven to significantly impact the access of the applicant, and; the slope exceeds 20 percent and no other access opportunity is available within 100 feet of the closest point to the requested location. However, ease of pedestrian access should be considered by the applicant, with the understanding that new construction of steps or stairs may not be approved. A site that presents obvious access limitations, such as a bluff or severe slope, and/or when shoreline conditions prevent proper dock maintenance (adjustment with fluctuating lake levels) by the applicant, the site may be denied for a boat dock at the discretion of the Operations Project Manager.

Q16. *I have an existing dock, and during the past few years erosion along the shoreline has created a 4 feet cut bank. The access to the dock is nearly impossible without some sort of steps or stairs. What are my options?*

- A. According to the draft SMP, yes, you would be able to request steps or stairs for this situation. When changes in topography caused by natural events (i.e. floods) occur, and previously approved access has been deemed impractical, applicants may request to build steps/stairs to access the existing dock location. Requests will be considered on a case by case basis. In addition, you may want to consider applying for an erosion control permit to stabilize the bank from further erosion. Refer to the "Erosion Control" section of the draft plan.