

Meeting Memorandum

Table Rock Lake SMP Focus Groups – Meeting 3

Introduction

A series of three focus group meetings were held at Dewey Short Visitor Center in Branson, Missouri regarding the Table Rock Lake Shoreline Management Plan (SMP) update. For the third meeting, the focus groups that met were:

- Shoreline Allocations on October 5, 2015
- Vegetative Modifications on October 6, 2015
- Docks on October 6, 2015

The purpose of these meetings was to elicit perspectives from stakeholders via focus groups on potential updates to the current Shoreline Management Plan. In the second meeting of the focus groups, the members were asked to consider the following three discussion points as they relate to each topic (vegetative modification, docks, and shoreline allocations):

- What should not be changed about the management of Table Rock Lake and why?
- What should be changed in the current SMP and why?
- Recommendations for addressing the items that should be changed.

Kelly Collins of CDM Smith opened the meetings with a discussion of general logistics and goals for the session. She explained that the Corps organized the draft recommendations derived through meeting 2 efforts, into one of three categories, which were colored coded as noted below:

- Will be carried forward to the next phase of the SMP update process (green)
- Will not be carried forward to the next phase (yellow)
- Needs discussion or clarification before its status as green or yellow can be determined (blue)

Each group member was provided with a hard copy of the recommendations, organized by color code. The focus groups members were asked to provide more clarification on the recommendations in the blue highlights. The recommendations in yellow and/or green highlights were reviewed if time allowed.

General Notes

Corps team members that were in attendance are listed below.

- Dr. Randy Hathaway, Deputy District Engineer, USACE Little Rock District
- Kevin McDaniels, Chief Operations, USACE Little Rock District
- Miles Brown, Chief Public Affairs, USACE Little Rock District
- Jim Sandberg, Operations Project Manager, Table Rock Lake Project Office
- Greg Oller, Deputy Operations Project Manager, Table Rock Lake Project Office
- Dana Coburn, Chief Environmental Branch, USACE Little Rock District
- Tony Porter, Deputy Operations Project Manager, Millwood Tri-Lakes Project Office

- Jeremy Rasnick, Ranger, Table Rock Lake Project Office (Vegetation Modification)
- Rodney Raley, Ranger, Table Rock Lake Project Office (Docks)
- Trish Tannehill, GIS Specialist, Table Rock Lake Project Office (Shoreline Allocation)
- Becky Shortt, Real Estate Specialist, Table Rock Lake Project Office

Kelly Collins and Jessica Fritsche (CDM Smith) supported the Corps in conducting the focus groups.

Vegetative Modifications

This subsection contains details and discussion notes specific to the Vegetative Modifications focus group meeting. Members of this focus group in attendance were:

- Jeff Justus – Missouri House of Representatives
- Don Cupps – Ellis, Cupps, and Cole
- Greg Cassell – Missouri Department of Conservation
- David Murray – RB Murray Company
- Stuart Murray – Representative Scott Fitzpatrick
- Gopala Borchelt – Table Rock Water Quality, Inc

Individuals representing congressional delegates that attended the Vegetative Modifications meeting as observers were:

- Matt Hough representing Congressman Long
- Steve McIntosh representing Senator Blunt
- David Stokely representing Senator McCaskill

Following presentation of the agenda for the day, the group discussed the number of focus group members that were absent. Carl Sieveking, Janet Bezzerides, Gail Melgren, and Eric Simkins were not in attendance. Dana Coburn noted that these participants were initially available to attend on the selected date, but several had to cancel at the last minute due to conflicts or illness. She added that while full participation is preferred, the focus group meeting would continue forward given that a majority of the members were in attendance.

Steve McIntosh, of Senator Blunt's office, asked for clarification as to why some items on the yellow list could not be considered. Keven McDaniels provided explanation of the items of concern. Randy Hathaway commented that upper Corps leadership would review items on the yellow list, to be sure all items were in fact not addressable.

At the first meeting, the group was unsure about how different types of vegetation might affect erosion around the lake. At that meeting, Gopala Borchelt agreed to bring information back to the group but could not attend meeting number 2. Gopala provided information to the group on native species and erosion. Her research concluded that natural vegetation (native species) provides the best buffer for erosion control. David Murphy provided a counter argument, drawing from his experience with golf course management.

The group then moved forward to discuss the blue items. For each recommendation, Kelly Collins provided an overview of the recommendation and then the Corps asked questions or led the discussion to elicit additional information or clarification. In some instances, this led to a change in the wording of the recommendation resulting in a revised recommendation or a withdrawal of the

recommendation. The bulleted list below provides the recommendation arrived at during the second meeting (blue bold), clarification sought, key discussion points, and the resulting change to the recommendation (indicated with an asterisk and bold text).

- **6-01-1: Vegetative modification in all areas should be under a general permit for a 50 foot zone (including environmentally sensitive areas), with the ability to apply for a 200 foot vegetative modification area in LDA as it does not occur in an environmentally sensitive area.**
 - The Corps asked for clarification on whether the group had considered potential impacts on cultural resources and endangered species. The focus group members were also asked to consider the definition of “general permit” and provide details on what the permit criteria would be.
 - The members of the group that formed this recommendation intended for the 200 foot to be measured from the property line. The general consensus was for this, although two members of the group thought it should be from the structure [note that this was captured in recommendation 6-01-5, which is found in the green list]. The group pointed out the safety considerations of having a reasonable radius of mowing area around a structure (fire protection and poisonous snakes). Others pointed out that 200 feet from the structure has been available to landowners in the past. To extend this to the property line, it would be prudent to maintain the distance at 200 feet because no mowing permit would be taken away if the mowing distance is measured from the boundary line, it may increase their area of mowing.
 - Trish noted that if the 200 feet are measured from the property line, it could potentially increase the percent of shoreline being mowed down to the water’s edge to 30% of the total shoreline.
 - Additional discussion ensued regarding the environmental impact of additional mowing. Greg Cassell noted that he does believe that additional mowing would negatively impact the water quality and fish habitat for spawning. Don Cupps noted that spawning usually occurs in areas that would not be mowed under this recommendation.
 - The group indicated that the general permit would uphold existing rules, but would be specific to Table Rock Lake and would allow for 50 feet from the property line to be maintained in Environmentally Sensitive Areas. Kevin McDaniels provided clarification that the Corps would still need to do inspections, as good stewards of the land, and that it would require additional staff.
 - Clarification was provided on Environmentally Sensitive Areas and how they were defined through the Master Plan. Don Cupps expressed his view that Environmentally Sensitive Areas are more prevalent in Barry County and thus the 50-foot allowance would help those property owners in that area.
 - For the 200-foot permit, the group clarified that their intent was that a 3rd party contractor would execute the inspection. Renewal would occur on a 5-year basis.
 - *The recommendation was thus clarified as: **Vegetative modification permits should be issued in Low Density Areas. These permits would allow vegetation**

modification up to 200 feet from the property line. In Environmentally Sensitive Areas, vegetative modification should be allowed up to 50 feet from the property line and this should be allowed through a Table Rock Lake-specific general permit.

- **6-01-12: Inspections of dead or diseased trees could be done by the Corps or contracted to streamline and accelerate the process.**
 - The Corps asked for clarification on who should hire and pay the contractor.
 - The Corps asked the group to consider that a government agency must grant permission on this type of activity. So, while a contractor could do the inspection, the Corps must still approve the permits. The Corps clarified that even with a picture approval process, some situations would still warrant a site visit.
 - ****The recommendation was thus clarified as: Inspections of dead or diseased trees could be streamlined and simplified by allowing approval through picture submittal.**
- **6-02-2: Heavy equipment can be used with written permission from OPM; small tractors used for erosion repair or waste clean-up should not require permission.**
 - The Corps requested additional information on how to define small tractors.
 - The group clarified that the commercial definition of compact tractor should apply. The recommendation was also be to return soil conditions to the state they were in prior to use of the tractor for this purpose. Also the group agreed to add to the recommendation that notification should be given to the Corps prior to the use of compact tractors.
 - ***The recommendation was thus clarified as: Heavy equipment can be used with written permission from OPM. Compact tractors used for erosion repair or waste clean-up should not require permission but rather prior notification should be given to the Corps. With use of compact tractors, the soil should be returned to its original state.**
- **6-02-7: Do not allow removal of vegetation less than 2 inches to allow for fish habitat.**
 - The Corps seeks clarification on how far up the shoreline this recommendation should go.
 - Greg Cassell indicated he was primary in forming this recommendation and clarified that this **recommendation should be struck**, as it is covered in recommendation 6-01-2.
- **6-02-8: Tie vegetation removal to a limited area set on elevation to keep this close to the lake line.**
 - The Corps seeks clarification on what defines the “lake line”.
 - ***Greg Cassell indicated he was primary in forming this recommendation and clarified that this recommendation should be struck.**
- **6-02-12: Owners should be able to remove the dead portions of trees due to hazards.**

- The Corps seeks clarification as to the definition of “hazard” and in what areas it would apply.
- The group discussed diseased tree management practices and the extensive number of diseased trees around the lake.
- Discussion ensued as to the additional strain on project office staff to implement a limbing practice.
- The group agreed that the recommendation should include photograph submittal for authorization. Also, the recommendation should be dead or diseased trees.
- *The recommendation was thus clarified as: **Owners should be able to remove the dead or diseased portions of trees due to hazards. The owner shall acquire authorization from the Corps by submitting a photograph prior to removal.**
- **6-02-25: Do not allow real estate outgrants.**
 - The Corps provided clarification that real estate outgrant restriction could be considered for boat docks.
 - *No changes to this recommendation were noted.
- **6-05-5: Encourage survey prior to issuing one-time vegetative modification permit.**
 - The Corps requested as to when this permit applies, and for clarification on what is meant by “one time”.
 - The group clarified that the intention of this recommendation was to educate property owners on the boundary line surveys and the consequences of not conducting one prior to modifying vegetation.
 - Additional discussion as to whether or not the Corps technology can be used to verify property lines prior to issuing the one-time permit. The Corps noted that Corps technology is not always 100% accurate and is not an official determination of boundary lines. The different types of property surveys were discussed, as well as the cost associated with each type.
 - *After much discussion, the decision was for this **recommendation to be struck.**
- **2-01-2: Allow permits outside of LDA if there is not a loss of vegetation along the shoreline.**
 - The Corps requested clarification as to what defines a buffer and whether or not LDA was meant to be Low Density.
 - The intention of the recommendation, as clarified by the group, is to not allow vegetation modification permits in park and marina buffers.
 - *The decision was for this **recommendation to be struck**, as it is covered in Shoreline Allocation focus groups.

After all the blue recommendations were discussed, the group moved to discuss the yellow recommendations. **Stuart Murray recommended that Title 36 be amended to allow for more flexibility at Corps projects without Commander approval.**

The group had enough remaining time to discuss some of the recommendations found in the list of green items. The following two recommendations were noted as needing editing.

- **6-02-11: Trimming of healthy trees to obtain a view should be prohibited.**
 - Group members stated that this recommendation was misrepresented and should be changed from “prohibited” to “allowed” and the stipulation of no more than 25% of the canopy should be removed in order to maintain the health of the tree.
 - *The recommendation was thus clarified as: **Trimming of healthy trees to obtain a view should be allowed, given that no more than 25% of the canopy is removed to maintain health of the tree.**

- **6-02-13: Trimming trees should be allowed to promote undergrowth (grasses and groundcover).**
 - Group members stated that this recommendation should be edited to specify a limit of removing 25% of the green leafy matter so that the health of the tree is maintained.
 - *The recommendation was thus clarified as: **Trimming trees should be allowed to promote undergrowth (grasses and groundcover) but no more than 25% of the green leafy matter should be removed to maintain health of the tree.**

After discussing and revising the recommendations, each member of the focus group was allowed to make a closing statement. The bulleted list below provides the key message offered by those members who made a statement.

- Stuart Murray – process was good, hopes the Corps takes suggestions into consideration
- Greg Cassell – appreciated the good discussion
- Don Cupps – expressed appreciation to the Corps and their professionalism and the opportunity to provide input
- David Murray – his goal was to make the Corps job easier, 200 feet from property line was very important to him and he thought it would be embraced by public
- Jeff Justus – management of vegetation has been successful in maintaining a clean lake, highlighted the lack of flexibility in some of the areas, and noted that more control should be given to locals
- Gopala Borchelt – appreciates opportunity to express the view of her organization

At the conclusion of the meeting, Dana Coburn provided an overview of the next steps. She indicated that the Corps will work to create a draft SMP, with the recommendations derived through this process expressed through an array of alternatives. The draft SMP is estimated to be complete and ready for feedback sometime in March. At that time, focus groups will be asked to reconvene and

provide initial feedback on the draft alternatives. Gratitude was expressed to focus group members for their time, effort, and hard work. Kevin McDaniels offered closing remarks echoing the sentiments of Dana. He stated that the Vegetative Management is key in addressing the environmental concerns. Randy Hathaway added that any decision that is arrived at through this process must be defensible. Jim Sandberg applauded the group for working hard to negotiate through the issues.

Docks

This subsection contains details and discussion specific to the Docks focus group meeting. Members of this focus group in attendance were:

- Mike Fitzpatrick on behalf of Duane Boggs, Kings River Marina
- Ruth Burns – Dry Dockers
- Lowell Mielke – Kimberling City Alderman
- Steve Faria – The Chalets on Table Rock Lake
- Cole Currier – Foggy River Realty, LLC
- J.L. Jones - Attorney
- Gary Haupt – Missouri Water Patrol
- Matt Walz – Missouri Highway and Water Patrol
- Bill Jones – Branson Bank
- Tonya Glover – Stone County Planning and Zoning
- Booker Cox – Foggy River Realty

Individuals representing congressional delegates that attended the Docks meeting as observers were:

- Matt Hough representing Congressman Long
- Steve McIntosh representing Senator Blunt

The group began with discussion of the recommendations highlighted in blue. For each recommendation, Kelly Collins provided an overview of the recommendation and then the Corps asked questions or led the discussion to elicit additional information or clarification. In some instances, this led to a change in the wording of the recommendation resulting in a revised recommendation or withdrawal of the recommendation. The bulleted list below provides the recommendation arrived at during the second meeting (blue bold), clarification sought, key discussion points, and the resulting change to the recommendation (indicated with an asterisk and bold text).

- **5-01-23: Limit Corps involvement to the approval process and let the association manage their own dock modifications and replacement issues.**
 - The Corps asked for clarification on the intention of this recommendation.
 - The group provided clarification that dock owners should be allowed to decide upon any modifications/replacements that are made. The group indicated that the majority of dock owners should first vote on the modification and approve it. The group will then approach the Corps for permit approval. The intended outcome is to reduce the burden on the Corps staff.
 - The group noted that the recommendation should be amended to state that associations get majority approval and then request approval for the modification and replacement issues.

- *The recommendation was amended to: **For dock modifications and replacement issues, the dock associations should first vote on modifications. If approved, the dock association group then requests the permit from the Corps.**
- **5-03-1: Consider resorts as commercial enterprises.**
 - The Corps requested clarification on “commercial enterprises” definition and the intention of the recommendation.
 - The group clarified that the intention is to allow courtesy docks at resorts that fall within a marina buffer zone, through application of considering resorts as commercial enterprises. This allows for economic growth and convenient service at resorts.
 - *No changes were noted for this recommendation.
- **5-03-2: Allow municipalities to permit courtesy docks.**
 - The Corps requested clarification on the intention of the recommendation.
 - The group clarified that the intention of the recommendation is to allow municipalities to obtain courtesy dock permits.
 - *The recommendation is thus clarified as: **Allow municipalities to obtain courtesy dock permits.**
- **5-04-5: Require registration for new construction and boat docks only.**
 - The Corps requested information on the intention behind this statement.
 - The group clarified that the intent of the recommendation is to limit the policy to require registration for new construction and boat docks only. The associations would manage ownership transfers and permit renewals.
 - *The recommendation is amended as: **Registration for new construction of boat docks should continue to be the responsibility of the Corps. Ownership transfers and permit renewals should be managed by the dock associations.**
- **70% Rule (no previous recommendation)**
 - A new issue surfaced that was not addressed during meeting 2, and thus not reflected in the list of recommendations. The group indicated that the 70% rule should be eliminated.
 - *Add: **Recommendation 5-05-2: The requirement for owning a boat that is 70% of the length of the slip described in Project Policy 13-02 should be eliminated.**
- **Dock Length and Width**
 - Discussion regarding the current and potential future size of max boats and the slip size needed. The impact of the waterway and unintentional creation of funnels was considered.
 - The group stated that the recommendation is for 12x30 slip size.

- *Add: **Recommendation 5-01-29: Make the maximum slip size 12 feet by 30 feet.**
- **5-09-2: Do not include restrictions on use of docks and let the community docks decide this.**
 - The Corps asked for clarification on the intention of the statement.
 - It was explained that under the current SMP, the dock slip cannot be used by persons renting the home of the person who owns the dock slip because this constitutes commercial activity.
 - Cole Carrier posed the question whether there was a way of allowing for slip use for vacation home rentals, citing economic growth and the desire of vacationers to have private dock use.
 - The intention is to reduce the Corps work effort on policing the use of dock slips by family and guests and somewhat loosen the restriction, but at the same time not to allow commercial activity.
 - The group discussed persons per unit. Historically, one unit accommodated one family. Today, resort homes can accommodate multiple families thus the 1:1.25 ratio of units to dock slips is no longer applicable in all cases and can restrict resorts that provide multi-family vacation rental units.
 - *The recommendation is amended to: **Allow family and friends use of dock slips, when no commercial intent is present.**
 - *New recommendation: **5-09-11: Allow for limited, mixed use of private boat docks thus allowing a slip to be rented with a vacation rental home lease.**
- **5-12-1: Bring grandfathered docks into compliance and allow modifications.**
 - Corps requests additional clarification on the use of the term “grandfathering”. They explained that it would be very challenging to bring all docks into compliance. There are some grandfathered docks that will never meet compliance because they would not be allowed to be built in the area where they are currently built. The impact of this policy would be that dock owners who have been on the lake for decades would no longer be allowed. The Corps explained that grandfathering is, in effect, honoring a previous agreement.
 - *Amend the recommendation to the following: **Attempt to bring the maximum number of docks with grandfathered status into compliance and allow for modifications to these docks.**
- **5-12-3: Require that grandfathered docks follow the same rules and regulations as conforming docks, thereby removing the status of grandfathered.**
 - This items was discussed simultaneously with recommendation 5-12-1.
 - *Amend the recommendation: **Attempt to require as many grandfathered docks as possible to be in compliance.**

- **7-04-2: Remove requirement for green permit tag and X on grandfathered docks to remove grandfather status (increase LDA to accommodate these docks).**
 - The Corps explained that they are required to somehow identify these docks. Although, they noted that this could be achieved through an internal tracking.
 - The group clarified that aesthetically, they would prefer a different approach.
 - *No changes were noted for this recommendation.
- **General Recommendation – Community dock ownership...**
 - J.L. Jones made recommendations to changes in the Project Policy #08-05 so as to accommodate trust or settlor dock slip owner agreements. J.L read to the group his suggested changes in language and provided the group with explanations as to why the changes should be considered:
 - Within Section 3a, the language “one owner” be changed to “one owner or a single or joint revocable or irrevocable trust”.
 - The number of slips owned should be attributed to the settlors of the trust and not the trustee for purposes of determining the number of slips owned.
 - For irrevocable trusts, the trustee must be able to grant use of the slip to the settlors by a Use and Enjoyment Agreement.
 - Certification of Trust is required.
 - Within Section 3d, the following text with a slash through it should be deleted: Slips will be allowed to have multiple owners ONLY in cases of inheritance. For such transfers, estate documentation will be required. At the time of sale of inherited slips for which there are multiple owners, slips will be required to be transferred or sold only to current owners of the slip.
 - The group agreed that the suggestions are useful and should be considered.

After all the blue recommendations were discussed, the group moved to discuss the yellow recommendations. Of concern was item 7-01-1, “Revise the last sentence to say that a new permit “shall” be issued as opposed to “may” be issued”. The Corps explained that their lawyer suggested the word “may” remain in this policy. Becky Shortt further explained that the Corps must take into consideration other issues before transferring the permit, such as encroachment.

There was a time available to discuss additional items of interest to the group. The following provides a brief synopsis of the topics discussed.

The group discussed how grandfathered docks will be brought into compliance through LDA zoning and through potential changes in the SMP.

Kevin McDaniels requested a discussion regarding adjacent land ownership. Some lakes allow for situations where someone who does not own land adjacent to the government-owned shoreline could be allowed to gain access through a vacant lot by arranging for a parking lot. Kevin noted that some

lakes have included in the SMP that only land owners can obtain docks permits. It was noted that some county zoning and permitting processes would allow for adjacent, impacted landowners to have feedback prior to allowance of this type of parking lot. Lowell Mielke indicated he believes these types of docks should be handled through the marina remote docks, offering a dissenting opinion from others in the group. Steve McIntosh, while not a member of the focus group, offered his opinion that the SMP should not include a policy that would prevent community boat docks on vacant lots.

Becky Shortt brought up issues that were raised in other focus groups that pertain to private and community docks. The recommendation was made that the minimum distance be reduced from 100 feet to 75 feet. This recommendation would allow for more docks and for the density requirement to be met. All members of the Docks focus group expressed their view that there is no need to reduce this distance, especially considering wind impacts.

Kelly Collins recalled to the group that there had been discussions of allowing two-stall docks in smaller coves in parallel style.

The group discussed suggested alternatives for dock placement and how the lines are drawn to specify exactly where and at what angle a dock can be installed.

This led to an in-depth discussion of the overall vision for the lake and the amount of development that can be allowed. Cole Currier provided his opinion that the percent of LDA should not be increased from 12% to 20%, as suggested by the Shoreline Allocation group. Instead, zoning should remain at 12% and when that is full, no further dock permits should be issued. Others in the group expressed the same opinion as Cole.

At the conclusion of the meeting, each member of the focus group was asked to make a closing statement. The bulleted list below provides the key message offered by those members who made a statement.

- Tonya Glover – found the process useful for discussing different views, and useful for bringing back information to the county she serves
- Steve Faria – indicated the process has helped to positively shape public opinion on how the Corps operates, and that it is nice to have a say
- Lowell Mielke – listening to everyone’s view was helpful, hopes that input will be used to form alternatives
- Cole Currier – stated that while some opinions are far apart, within the group there is more agreement on the vision for the lake
- Booker Cox – enjoyed process, surprised by consensus, anxious for the outcome
- Ruth Burns – enjoyed process, kudos to Corps in how and what they do and the flexibility allowed through the process
- Bill Jones – was useful in learning about shoreline management within the Corps context, happy to be a part of the process, expressed the Lake’s importance to the local communities and the region, wished that the financial aspects could have been revisited and better addressed

- J.L. Jones – was a lot of work, impressed with process, noted the strong personalities but said folks generally got along
- Gary Haupt – understands challenges faced by Corps, thinks the process should balance growth and please the masses
- Matt Walz – noted the beauty of Table Rock Lake, suggested that development remain as conservative as possible, once development goes too far it is difficult to return

On behalf of the Corps, Dana Coburn provided closing statements. She indicated that the Corps will work to create a draft SMP, with the recommendations derived through this process will be expressed through an array of alternatives. The draft SMP is estimated to be complete and ready for feedback sometime in March. At that time, focus groups will be asked to reconvene and provide initial feedback on the draft alternatives. The Corps offered gratitude to the focus group members and the dedication of their time to the process. She encouraged others to share this process with the groups they represent. Kevin McDaniels acknowledged the valuable feedback provided by the group and the balance in this group’s approach for the outlook of Table Rock Lake.

Shoreline Allocations

This subsection contains details and discussion specific to the Shoreline Allocations Focus Group meeting. Members of this focus group in attendance were:

- Dennis Wood – Stone County Commissioner
- Kathy Clark – Keller Williams Realty
- Rick Carpenter – Dock Owner
- David Casaletto – Ozarks Water Watch
- Bill Lyons – Sunset Cove Homeowners
- Kandis Davis – Developer
- Randy Swanson – Port of Kimberling Marina
- Phil Cox – The Harbor Marina/ State Park Marina
- Rick Zigenfuss – City of Hollister Administrator
- Shelia Thomas – Table Rock Chamber of Commerce
- Jay Steed – Developer/ Resort Owner

Individuals representing congressional delegates that attended the Shoreline Allocations meeting as observers were:

- Steve McIntosh representing Senator Blunt
- Mike Ussery representing Congressman Long

Kelly Collins began with the explanation as to how the group could use the meeting time, offering three alternatives. Since the group did not complete their review of the SMP during the second meeting, the group could reconvene into the breakout groups and continue where they left off and then discuss the blue items with the remaining time. Alternatively, the group could begin with discussion of the blue items and then continue with the sections that had not yet been addressed. As a third option, Kelly pointed out that the group could use the time in another way, if there was a different suggestion. The group agreed to first discuss the blue items and then break out to discuss the remaining items, as time allowed.

The group then moved to discuss the blue items. For each recommendation, Kelly Collins provided an overview of the recommendation and then the Corps asked questions or led the discussion to elicit additional information or clarification. In some instances, this led to a change in the wording of the recommendation resulting in a revised recommendation or withdrawal of the recommendation. The bulleted list below provides the recommendation arrived at during the second meeting (blue bold), clarification sought, key discussion points, and the resulting change to the recommendation (indicated with an asterisk and bold text).

- **2-03-5: Initial dock permitting would be handled by Corps ranger staff, renewals would be handled by Corps real estate staff – including collection of fees. This would allow the fee structure to be reassessed, potentially allowing additional money to remain at the lake.**
 - The Corps pointed out that Title 36 may not allow for leniency in collecting renewal fees, they would first need to determine if it is within their authority to change how renewal fees are collected. Also, they must consider how these changes may impact their real estate and operating staffing requirements.
 - The Corps asked the group to consider how the public might take the change to the fee structure. If the fees would be the same for 2-slip and 20-slip dock, individual property owners might be financially burdened.
 - The Corps indicated that the effects of the operations budget may be reduced as a result, and this would need to be carefully considered.
 - The group recommended that the Corps determine if it is feasible to change how fees are collected and come up with a plan if so.
 - *The group decided to split this into two recommendations. Recommendation 2-03-5 would be edited as: **Dock inspections should be outsourced.**
 - *New recommendation: **Recommendation 2-03-7: Dock permitting and renewals should be handled by the Real Estate staff.**
- **2-07-2: All zoning requests should be reviewed upon receipt.**
 - The Corps explained to the group that the Shoreline Allocation map cannot be changed until the SMP is updated, per Title 36. Thus, the Corps can only review the requests at this time and cannot act on the requests until the SMP is adopted.
 - So, the question was posed whether the interim review make sense. Problems could ensue if someone is led to believe that their request would be approved, but then is not approved through the SMP update process.
 - Dana Coburn explained that it makes sense to think about the future and change zoning now where development is expected and makes sense to occur.
 - Trish Tannehill stated that currently, only 60% of the available zoning is used and 37 miles of shoreline are still available. The rules state that the current allocated 12% must be used first, and then the zoning can be expanded.

- *The group formed a new recommendation: **Recommendation 2-07-5: The total shoreline allocation should be increased from the existing 12% to a total of 20%.**
- **2-07-3: Add criteria to allow LDA addition or relocation outside of the SMP update timeframe. These criteria would eliminate the need for appeals.**
 - The Corps asked the group for criteria they should use when considering LDA additions.
 - The group provided the following list: those docks outside of appropriate zoning should have that zoning changed; relocate “unusable” LDA; consider topographical features (bluffs and shallow coves); review county zoning and land uses, if applicable; review approved roadways; consider the carrying capacity of TRL; and consider current development areas.
- **2-07-4: There should be an appeal system when any permit approval is rejected by the Corps. This appeal process should be reviewed before a group and should be arranged every 6 months.**
 - The Corps asked for clarification on how the appeal process is envisioned and when it is applied.
 - The group provided clarification that the recommendation is for an external board to appeal the Corps decision, when requested. The appeals process would apply for anything where the Corps has rulemaking authority.
 - The group noted that the administrative process/board of appeals should include both Corps personnel and non-Corps members and should include a time table for the hearing.
 - The recommendation is thus amended as: **There should be an appeal system when any permit approval is rejected by the Corps. This appeal process should be reviewed before a board consisting of both Corps and non-Corps members and should be arranged every 6 months or within a specified time frame.**
- **4-03-6: Remove the status of “grandfathered” docks, by requiring them to meet the same rules and regulations as conforming docks. This should be done without removing current LDA or in some cases LDA could be shifted with current owner approval.**
 - Corps provided details on the definition and considerations of “grandfathered”. Clarification was provided that all non-conforming docks must be tracked.
 - The group clarified that the recommendation is to remove the status of grandfathered docks, which are grandfathered because they fall outside of LDA zoning, by changing the zoning to make them fall in LDA zoning.
 - *The recommendation is amended as: **Remove the status of “grandfathered” docks that are grandfathered due to their zoning by changing their zone to LDA through shoreline allocations changes within the SMP update. This should be done without removing current LDA or in some cases LDA could be shifted with current owner approval.**
- **4-03-14: Approved remote satellite locations should stay in place regardless of shoreline or MP classification.**

- The Corps clarified that this is an operations policy, but that it is related to buffer zones for marinas. The Corps asked for clarification as whether or not they agree with remote service docks and if they serve a purpose.
- Group members are in favor of marina buffer zones and Commercial Remote Service Docks.
- The Corps noted that the MP is taking 14 of the 85 remote service dock approved located/buffer zones (no docks present) in ESAs out of this status.
- The group agreed that the recommendation should be changed to specify that it does not include docks in ESA.
- *The recommendation should be amended as: **Approved remote satellite locations should stay in place regardless of shoreline or MP classification, except in ESA classifications.**
- **4-03-15: Allow resorts to develop throughout the lake including in marina buffer zones (with certain restrictions) and to have different rules than for community docks.**
 - The group clarified that community docks should be allowed to have swimming platforms and fish cleaning stations.
 - The Corps asked if additional limited motel/resort docks/slips should be allowed within marina buffer zones or if they should have to go through the remote access dock avenue. The group clarified that when a marina buffer is an impediment to a resort, then limited access docks should be allowed. Exceptions should be allowed and a competitive waiver process should be included.
 - There should be a process to not hinder development and allow resorts located within Marina buffer zones to get the docks they need.
 - *Amend the recommendation to: **Allow resorts to develop throughout the lake including in marina buffer zones when the marina buffer is an impediment to the resort (when a competitive waiver form is in place) and allow for different rules than for community docks, such as allowance for fish cleaning stations and swimming platforms.**
- **4-03-21: Eliminate marina buffer zone and all current RLDA should be converted to LDA and retain appointed remote dock location sites.**
 - The Corps asked for discussion and consideration on the implications of this recommendation.
 - The current rules does not allow for a resort with boat docks to go in within a marina buffer zone thereby restricting growth.
- **4-03-16: Reduce the extent of park buffers to only include the boundary of the park.**
 - Corps pointed out that buffers only to the boundary of the park is not truly a buffer and asked for discussion.

- Through discussion, two changes were noted for the recommendation.
- *Recommendation is amended to: **Review park buffers during this SMP update process and make changes to the park buffer zoning on a case by case basis.**
- *Remove Recommendation 2-02-1 to maintain park buffer language as it is in the SMP. **4-03-19: Create allocation for existing resorts or private boat docks located in park buffers.**
- Corps wanted to highlight that there are currently seven resorts and approximately 20 private docks in park buffers that are grandfathered. Corps pointed out that the intention of park buffer zones is both to limit noise close to parks and to protect the visual appeal of a park.
- *The group noted the following change to the recommendation: **Park buffer zones should be revised and shortened on a case by case basis. Criteria for revising park buffer zones are existing level of activity, visual impact, audio impact, current business activities (parks with marinas versus parks without marinas).**
- *An additional recommendation was provided by Jay Steed: **Allow resorts to build docks within park buffer zones.**

On behalf of the Corps, Dana Coburn provided information on the next steps. She indicated that the Corps will work to create a draft SMP, with the recommendations derived through this process expressed through an array of alternatives. The draft SMP is estimated to be complete and ready for feedback sometime in March. At that time, focus groups will be asked to reconvene and provide initial feedback on the draft alternatives. The group was informed that notes from the meeting would be provided in a timely fashion via email transmission.

At the conclusion of the meeting, each member of the focus group was asked to make a closing statement. The bulleted list below provides the key message offered by those members who made a statement.

- Jay Steed – important to let resorts build what they need in marina buffer zones
- Dennis Wood – appeals process important, does not agree with the 200-foot rule
- David Casaletto – agree with everything done here and thinks consideration should be given to structures within Environmentally Sensitive Areas
- Kathy Clark – Appeals process is a very important aspect for community members, wants the Corps to look carefully at anything that impedes economic growth
- Shelia Thomas – compliments to Corps for improving process when compared to the MP process, when looking at LDA and reallocating it, it is very important to consider future growth
- Mike Ussery (representing Congressman Long) – if Corps goes in a different direction on an item that was a clear consensus, then Corps needs to inform group as to why it could not be implemented

- Bill Lyons – appeals process very important, moving percentage of total shoreline for more development should occur more regularly
- Randy Swanson – It is important to remove the moratorium as soon as possible, shoreline allocations should allow for the amount needed for growth
- Phil Cox –charge end users and allow fees to stay local
- Rick Carpenter – appeals process very important, suggestion to make process easier
- Kandis Davis– communication from Corps is very important and needs to continue, new technology employed by Corps very important, collaborative process is key

Kevin McDaniels gave closing remarks for the Corps. He talked to the point of “maximum number of docks” on Table Rock Lake and noted the challenge is defining what reasonable buildout looks like. The Corps challenge is to interpret the comments they have heard that say, “*We don’t want our lake to be Lake of the Ozarks*” into a quantitative policy to allow for growth at the level desired by stakeholders. Discussion ensued about what that balance looks like. Tony Porter pointed out that public feedback has been that growth should be carefully considered and the integrity of the lake should be preserved.