

**FINDING OF NO SIGNIFICANT IMPACT
ENVIRONMENTAL ASSESSMENT FOR THE
2020 TABLE ROCK LAKE SHORELINE MANAGEMENT PLAN REVISION
BRANSON, MISSOURI**

This revised Shoreline Management Plan (SMP) is the required U.S. Army Corps of Engineers (Corps) approval document (Title 36, Section 327.30 and ER 1130-2-406) that protects and manages shorelines of USACE Civil Works water resource development projects under Corps jurisdiction in a manner that promotes safe and healthful public use of shorelines while maintaining environmental safeguards. The objectives of management actions in this SMP are to balance permitted private uses and natural resource protection for general public use. This SMP revision replaces the last updated March 1996 Table Rock Lake SMP.

With the proposed Shoreline Management Plan revision, an Environmental Assessment (EA) is being completed to evaluate existing conditions and potential impacts of proposed alternatives. The EA is prepared pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR, 1500–1517), and the Corps implementing regulation, Policy and Procedures for Implementing NEPA, ER 200-2-2, 1988.

In addition to the preferred alternative (Alternative #4a, “Revised Neutral Change”), a No Growth alternative (#1), a Benefit General Public Use alternative (#2), a No Action alternative (#3), a Neutral Change Alternative (#4), an Accelerated Private Development alternative (#5), and a Maximum Private Growth alternative (#6) were evaluated in the Environmental Assessment.

Alternative 1, No Growth Alternative—The No Growth alternative would allocate 92 percent of shoreline as Protected Areas. There would be no Limited Development Area (LDA) allocation on the lake. Components include no new shoreline use permits issued for any purpose. No new docks, including resorts wanting to convert to a private/community dock, would be allowed on the lake. No new vegetation permits would be issued, nor would there be any new permits for other private recreational facilities (ski courses, etc.) added to the lake. There would be no expansion of, or addition to, existing shoreline use permits, which would include no new boat slips being added, no new personal water craft lifts allowed, and no addition to the current number of existing swim decks. In addition, no new out-grants for private uses would be allowed. All existing permits would be allowed to remain until they no longer meet the permit requirements and or the permit is revoked or terminated.

Alternative 2, Benefit General Public Use Alternative – In this alternative, shoreline allocations are very similar to the shoreline allocations in Alternative 3, No Action. The most substantial difference in allocations is the removal of Resort, Community Dock Only, and Courtesy Dock only allocations, converting these allocated areas to LDA, Restricted Limited Development Areas (RLDA), or Public Recreation Areas (PRA), as appropriate. Components of this alternative include: No allowance of

rezoning requests; required parking for new docks to be within 200 feet of dock; a cap on total slip number; no PWC lifts on outside of dock; no new slip boarding allowed; new docks limited to two slips; new courtesy docks in LDA only; maximum new slip size is 12 feet wide by 30 feet long; only adjacent landowners may own a slip; no proof of slip ownership required for registration; 100 percent slip owner approval required for dock modification; maximum acreage for mowing and underbrushing and a 3 foot path for dock cables; no mowing across natural or man-made vegetation breaks; requires landowner boundary surveys prior to permit issuance; no pedestrian path materials or vegetation modification allowed in Environmentally Sensitive Areas (ESA); only hand tools allowed for veg mods; and no new steps or stairs allowed.

Alternative 3, No Action Alternative – The No-Action alternative is defined as the Corps continuing utilization of the current SMP (1996), with the inclusion of new policies enacted since 1994, which include the following project policies:

- 08-01, Access and Parking for Private Community Docks
- 08-05, Multiple Ownership in a Single Slip
- 08-06, Placement of PWC lifts on Private Floating Facilities
- 09-01, Slip Owner Meeting Requirements for New Slips in Private and Community Docks
- 13-01, Enforcement of Title 36, 327.3(b) Vessels and Title 36, 327.18(a) Commercial Activities
- 13-02, Dock Main Walkways, Walkways between Slips, and Slip Enclosures
- 13-03, Issuing Duck Blind Permits
- 13-04, Access on Public Lands for Persons with Special Needs (Golf Cart Permits)
- 13-05, Management of Grandfathered Docks on TRL
- 13-06, Hard Surface Path for Special Access Needs
- 13-07, Placement of Newly Permitted Community Single-sided Perpendicular Docks on TRL
- 13-08, Shoreline Use Permit for Slalom Courses
- 13-09, Swim/Sun Decks Attached to Boat Docks
- 13-10, Traditional Use Roads & Road Access Fee, TRL
- 13-11, Electrical Power to Private Community Boat Docks
- 13-12, Fish Attractor Policy

Alternative 3 would also include incorporation of local policy SWLR 1130-2-48, and a new project policy requiring require the use of solar or other alternative power sources for boat docks, minimum and maximum boat access walkway dimensions, all dock additions/modifications such boat lifts, lockers, and slip boarding must be shown on dock plans, no “no wake” buoys, and 8-foot water depth requirement for placement of new docks.

Alternative 4, Neutral Change Alternative – Alternative 4 includes unique management measures, but also includes management measures shared by other proposed alternatives. In this alternative, shoreline allocations are very similar to the

shoreline allocations in Alternative 3, No Change. The most substantial difference in allocations is the removal of Resort, Community Dock Only, and Courtesy Dock Only allocations, converting these allocated areas to Protected, LDA, Restricted Limited Development Areas (RLDA), or Public Recreation Areas (PRA), as appropriate. Additionally, unusable LDA and RLDA were relocated to correct prior errors. Components of this alternative include:

- There is a threshold of 30,806 access opportunities (boat slips and launching ramp parking spaces)
- No new LDA until existing is full and a carrying capacity study is completed
- New docks can be a 1-slip up to a 20-slip dock
- Allow placement of new parallel docks in any LDA
- Allow placement of new courtesy docks in LDA and RLDA (RLDA for existing boat launching ramps only)
- New maximum slip size is 12 feet wide by 30 feet long
- Individual or dock association can be permittee of multiple docks
- Allow slips to be owned by a trust
- Proof of ownership not required for slip transfer
- No minimum boat size requirement for new slip construction
- Require any dock modification request be submitted by the permittee only, with written approval of a majority of the slips owners
- Only accept one dock modification request per permit term
- Do not allow mowing across any natural or manmade break in vegetation
- Allow removal of non-flowering trees less than 2 inches at ground level within a permitted mowing area
- Allow removal of cedar trees less than 3 inches at ground level within a permitted mowing area
- Allow removal of dead trees that are hazards to structures, paths, or in permitted mowing areas
- Mowing and under brushing limited to 6 feet of path for dock cables
- Pedestrian paths in ESA limited to 3 feet wide meandering path, no materials allowed
- No new steps or stairs allowed
- Existing “No Wake” buoys at private floating facilities will be allowed to remain until December 31, 2020
- No new power lines to private floating facilities. Existing power lines at private floating facilities will not be allowed to renew after December 31, 2027. All new electric service to private floating facilities must be provided by an alternative power source (i.e. wind, solar, etc.)

Alternative 4a, Revised Neutral Change alternative (Preferred Alternative)—includes unique management measures, but also includes management measures shared by other proposed alternatives. In this alternative, allocations are very similar to the allocations in Alternative 3, No Change. The most substantial difference in allocations is the removal of Resort, Community Dock Only, and Courtesy Dock Only allocations, converting these allocated areas to Protected, LDA, Restricted Limited

Development Areas (RLDA), or Public Recreation Areas (PRA), as appropriate. Additionally, unusable LDA and RLDA were relocated to correct errors. Components of this alternative are substantially the same as alternative 4, to include:

- Licenses for new land based electric service will not be approved. If a dock with existing land based electric service is relocated or moved, the existing electric service must be removed and the area restored prior to the issuance or approval of the boat dock permit. In these instances, new electric service must be provided by an alternative power source. If a dock is rebuilt at the same location, the existing electric service may be used. Licenses for existing electrical service to docks may be renewed. In any instance of ground disturbance, compliance with Archeological Resources Protection Act (ARPA) must be met at the license holder/applicant's expense or the updated electric service must be provided by an alternative power source.
- Mowing and/or underbrushing permitted area may be limited in circumstances when determined to be in the best interest of the stewardship of the natural resources, for instance if a protected species habitat is discovered such as a Bald Eagle nest or if a safety issue is discovered on site such as crossing a creek, bluff, or a government maintained road.
- Trees and shrubs up to two (2) inches in diameter (measured at ground level) may be removed. Cedar trees up to three (3) inches in diameter (measured at ground level) may be removed. Dogwood, redbud, or serviceberry trees cannot be removed, regardless of size.

Alternative 5, Accelerated Private Development Alternative – In this alternative the shoreline allocations would be similar to the shoreline allocations presented in Alternative 4 except, LDA would be increased to 20 percent of total shoreline and the Marina Buffer Allocation would convert to Protected Areas or LDA, as appropriate. Unique management measures include: Dock parking within 400 feet or closest possible location on private property; allow expansion of traditional parking area government easements for new slip parking; issuance of new permits for single slip docks where larger docks cannot fit in zoning; new parallel dock and swim dock in any LDA; new slip size is 12 feet wide by 30 feet long maximum; new courtesy docks in LDA and RLDA (RLDA only to support existing boat ramps); an individual or dock association can be permittee of multiple docks; only adjacent landowners may own slips in new docks; unlimited slip ownership; proof of ownership not required for slip transfer; boat ownership required for new slip construction but no minimum size boat requirement; dock modification request submitted by permittee only, with written approval of a majority of slip owners; only one dock modification request per permit term; mowing and underbrushing up to 200 feet from boundary line via general permit; allow mowing across minor roads only; allow limbing of healthy cedar trees up to 25 percent of canopy in permitted areas; allow removal of non-flowering trees less than two inches at ground level in permitted mowing areas; allow cedar tree removal with required tree or native grass mitigation in permitted mowing area; dead tree removal that are hazards to structures, paths, or in permitted mowing areas; mowing and underbrushing limited to 6

foot paths for dock cables; no path materials on ESA pedestrian paths; no new steps or stairs; and allow installation of new tramways and ski courses.

Alternative 6, Maximum Private Growth Alternative – Alternative 6 would include all unique management measures found in Alternative 5, with the expansion of shoreline miles from the current 12 percent to 47 percent for use as Limited Development Area (LDA). Additionally, Alternative 6 would allow for new parking areas on government land.

For all alternatives, the potential effects were evaluated, as appropriate. A summary assessment of the potential effects of the preferred alternative are listed in Table 1:

Table 1: Summary of Potential Effects of the Preferred Alternative

	Insignificant effects	Insignificant effects as a result of mitigation*	Resource unaffected by action
Aesthetics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aquatic resources/wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Invasive species	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fish and wildlife habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Threatened/Endangered species/critical habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Historic properties	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other cultural resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous, toxic & radioactive waste	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hydrology	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Socio-economics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental justice	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Soils	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tribal trust resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the preferred alternative. While the preferred alternative does not entail ground disturbance activities on adjacent private lands, all other activities occurring on Corps owned and operated lands would be subject to all necessary environmental evaluations and compliance regulations.

No compensatory mitigation is required as part of the preferred alternative.

Public review of the draft Shoreline Management Plan, Environmental Assessment, and FONSI was completed on 15 September 2017. All comments

submitted during the public review period were responded to in the final Shoreline Management Plan and Environmental Assessment. In addition, the draft SMP and associated documents were placed under review by the Table Rock Lake Oversight Committee (TRLOC), a Federal Advisory Committee that was established by Section 1185 of the Water Resources Development Act of 2016. The charge of the TRLOC was to provide review and recommendations for changes to the draft Table Rock Lake SMP. As a part of the review process by the TRLOC, the public could also provide both written and verbal comments. Written comments were accepted from 21 November 2019 through 9 July 2020; verbal comments were accepted during Meetings #2 and #3, held on 5 March 2020 and 16 July 2020, respectively. The TRLOC provided their recommendations to the Little Rock District Commander at the conclusion of Meeting #3 on 16 July 2020. The *2020 Table Rock Lake SMP* revision addresses not only public comments from the Scoping process held in 2015, the Draft release public review and comment period held in 2017, but also the public comments and TRLOC recommendations collected from 21 November 2019 through 16 July 2020.

Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers determined that the preferred alternative will have no effect on federally listed species or their designated critical habitat.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the U.S. Army Corps of Engineers determined that the preferred alternative has no effect on historic properties.

All applicable environmental laws have been considered and coordination with appropriate agencies and officials has been completed.

Technical, environmental, and economic criteria used in the formulation of alternative plans were those specified in the Water Resources Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on this report, the reviews by other Federal, State, and local agencies, Tribes, input of the public, and the review by my staff, it is my determination that the preferred alternative would not cause significant adverse impacts on the quality of the human environment, therefore, preparation of an Environmental Impact Statement is not required.

14 September 2020

Date

CHRISTOPHER G. BECK, P.E.
Brigadier General, USA
Commanding