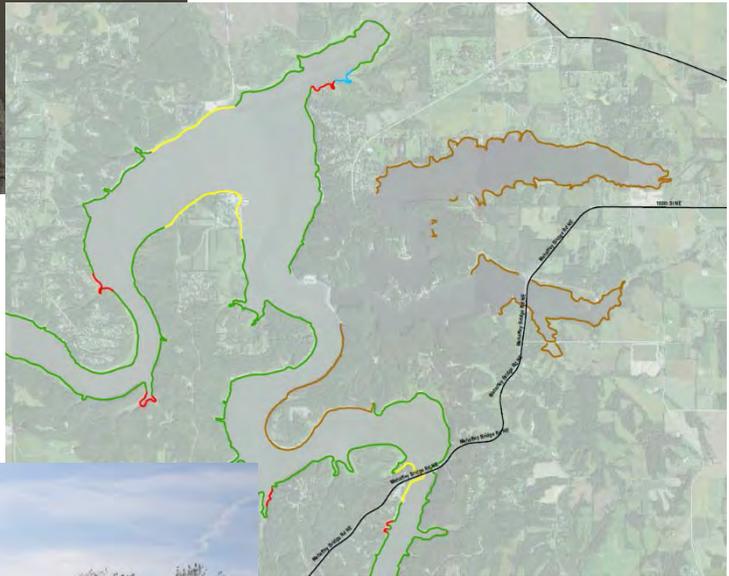

CORALVILLE LAKE SHORELINE MANAGEMENT PLAN

2017



**US Army Corps
of Engineers**®
Rock Island District

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2017

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PREFACE

The purpose of this Shoreline Management Plan (SMP) is to provide policy and guidance on the management of the shoreline at Coralville Lake, Iowa. It is designed to provide a balanced approach between shoreline use and preserving and protecting the natural resources of the project. Coralville Lake is expected to experience development pressure in the future. Privately-owned residential properties adjacent to the lake continue to be developed. Likewise, existing residential developments are expanding, resulting in an increased demand for private use of public resources. Each year applications continue to be filed for new permits for vegetative modifications, floating facilities, or utility easements/licenses, and other permitted activities. Public use of federal lands is a priority at Coralville Lake so that generations can continue to enjoy the vast recreational opportunities available.

The first shoreline management planning for Coralville Lake was found in the 1964 Coralville Lake Master Plan as Chapter 7, Shoreline Zoning. While shoreline zones were described there was no requirement for implantation until 1978. In 1981, a comprehensive Coralville Lakeshore Management Plan was produced and organized as a part of the Operational Management Plan. In 2015, Coralville Lake began the master planning revision process and concurrently scoped and reviewed the SMP. Throughout the process, the Corps involved the public, and coordinated with Tribes, Federal, state, and local agencies, and communities. During review of the 1981 SMP a determination was made after comparing maps to the verbiage and intent found in the text of the plan that the 1981 maps had several inconsistencies attributed to scrivener's error. These errors were corrected and displayed at the public meetings held in 2016. The updates to the text in the SMP were administrative in nature.

The goal of the SMP is to balance authorized private use with resource protection. According to Engineering Regulation (ER) 1130-2-406 the entire shoreline must be allocated into allocation zones. This SMP has five different allocation zones: Prohibited, Protected, Public Recreation, Limited Development or Other Agency Managed. The Other Agency Managed allocation is new to this 2017 SMP. The Iowa Department of Natural Resources Hawkeye Wildlife Management Area did not have a shoreline allocation in the earlier versions of the SMP, and Lake Macbride State Park was allocated as Protected. The 2017 maps assign a new shoreline allocation, Other Agency Managed, to all leased lands including other leased areas around the lake which provides the same level of protection.

The Coralville SMP focuses on those areas zoned for "Limited Development" which allows private exclusive use of federal land. Private uses may involve placing private recreational structures such as boat docks, steps, and pathways or pursuing certain activities on Corps lands (e.g. mowing) that are limited to adjacent landowner(s) or groups of individuals that are usually not available to the general public. Requests for actions in Limited Development areas (LDAs) need a shoreline permit, shoreline use permits are not granted on areas outside LDAs. There are currently 45 Shoreline Use Permits and/or Special Use Licenses under management for shoreline and river access related private structures.

Shoreline actions (e.g. new development or improvements) that occur on the other shoreline zoning categories (Public Recreation, Protected Shoreline, Prohibited Access, and Other Agency

Managed Areas) follow the overarching management parameters of the Coralville Lake Master Plan and are evaluated and coordinated for environmental and cultural compliance. Processing of Corps actions occur through the Operational Management Plan and corresponding Task Packages while any development or improvements the IDNR and/or other leasee’s wish to conduct would be evaluated and coordinated utilizing other governing documents such as the Master Plan, the Development Plan, Lease Agreements, and/or annual work plans.

Table 1. Allocation of Shoreline in Miles

Allocation	1981	2017	Difference
Other Agency Managed*	40.20	51.10	10.90
Protected	46.10	38.50	-7.60
Public Rec	11.90	9.30	-2.60
Limited	1.60	1.70	0.10
Prohibited	0.80	0.04	-0.76
Total	100.6	100.6	

*Other Agency Managed Number (40.2) did not have an allocation in 1981, and is approximate.

The District has determined that implementation of the proposed 2017 Coralville SMP will be categorically excluded from National Environmental Policy Act (NEPA) documentation under the provisions of 33 CFR Paragraph 230.9(b & e). While an Environmental Assessment is not anticipated for this Federal action, it does not exempt the action from compliance with any other Federal law (i.e. Endangered Species Act, Fish and Wildlife Coordination Act, National Historic Preservation Act, Clean Water Act, etc.).

The District has determined implementation of the 2017 Coralville SMP will have “no effect” on any federally listed threatened or endangered species. In March 2016, the US Fish and Wildlife’s (USFWS) endangered species website indicated seven listed species as either threatened, endangered or a candidate species for this project area (Federal Lands) which is almost entirely in Johnson County, Iowa. There is no critical habitat within this project area.

The District determined that 2017 Coralville SMP, specifically the area’s allocated as Limited Development Areas would have “no effect” to historic properties listed or eligible for listing on the National Register of Historic Places. Individual actions conducted under the other allocation categories will be evaluated for NHPA compliance to determine potential to impact historic properties at that time. This determination will be developed in consultation with the relevant agencies and Tribes to insure compliance with Section 106 of the National Historic Preservation Act as amended and its implementing regulations 36 CFR 800.

1. PURPOSE AND SCOPE

- A. Purpose.** The purpose of this Shoreline Management Plan is to provide policy and guidance on the management of the shoreline at Coralville Lake, Iowa. It is designed to provide a balanced approach between shoreline use and preserving and protecting the natural resources of the project.
- B. Scope.** This plan is applicable to Coralville Lake. Shoreline shall be construed as that portion of a project that is owned in fee by the United States whether or not it is covered by water. Easement lands held by the United States are not considered under this plan, but are subject to the restrictions stated in the easement document.
- C. References.**
- (1) Section 4, 1944 Flood Control Act, as amended, (16 USC 460d).
 - (2) The Rivers and Harbors Act of 1894, as amended and supplemented (33 USC 1).
 - (3) Section 10, Rivers and Harbors Act of 1899 (33 USC 403).
 - (4) National Historic Preservation Act of 1966 (P.L. 89-665; 80 Stat.915) as amended (54 USC 300101 et seq.).
 - (5) The National Environmental Policy Act of 1969, (42 USC 4321, et seq.)
 - (6) The Clean Water Act (33 USC 1344, et seq.).
 - (7) The Water Resources Development Act of 1986 (P.L. 99-662).
 - (8) Title 36, Chapter III, Part 327, Code of Federal Regulations, “Rules and Regulations Governing Public Use of Water Resource Development Projects Administered by the Chief of Engineers.”
 - (9) Executive Order 12088 (13 Oct 78).
 - (10) 33 CFR 320-330, “Regulatory Programs of the Corps of Engineers”.
 - (11) Engineer Regulation 1130-2-406 (28 May 1999), “Shoreline Management at Civil Works Projects”.
 - (12) ER 1130-2-400, “Management of Natural Resources and Outdoor Recreation at Civil Works Water Resource Projects.”
 - (13) ER 1130-2-540, “Environmental Stewardship Operation and Maintenance Guidance and Procedures”.
 - (14) EM 385-1-1, “Safety and Health Requirements Manual”.
 - (15) An Act for the Preservation of American Antiquities, June 8, 1906, PL 59-209.
- D. Policy.** It is the policy of the Chief of Engineers to manage and protect the shorelines of all Lakes under Corps of Engineers (Corps) jurisdiction. All management activities will be conducted in a manner that will promote the safe and healthful use of these shorelines for recreational purposes by the public, while safeguarding fish and wildlife habitat, cultural resources, aesthetic quality and natural environmental conditions. Ready access to and exit from these shorelines shall be provided for the general public in accordance with reference C.1 of this section. It is the objective of the Corps to minimize the appearance of private exclusive use of public property and to maximize benefits to the general public. All Federal and State laws, rules and

regulations are in force in the hunting, taking or trapping of all fish and game species. The Operations Manager will be the only authorized representative to act on behalf of the District Commander in regards to shoreline management.

- E. Goal.** The goal of all management actions by the Corps of Engineers is to achieve a balance between authorized shoreline uses and resource protection for the benefit of the general public. Priority is given to the protection of the resource over uses that may have detrimental effects on that resource.

The objectives of the Shoreline Management Plan are to:

- (1) Preserve, protect and enhance the environmental quality of Coralville Lake.
- (2) Protect and preserve historic properties.
- (3) Promote the safe and healthful use of the Coralville Lake shoreline for recreational purposes by the general public.
- (4) Manage the use of public property in a manner that maintains a balance between authorized non-exclusive use and protection of the resource for general public use.
- (5) Promote restoration of the shoreline where degradation has or may occur.
- (6) Protect aesthetic quality and sustain natural conditions of the shoreline.
- (7) Minimize the impact upon resources where shoreline use is authorized.
- (8) Protect and enhance the fish and wildlife within the area.

2. DEVELOPMENT OF SHORELINE MANAGEMENT PLAN

A Shoreline Management Plan is required for each Corps of Engineers project where shoreline use is allowed. The 1981 Lakeshore Management Plan was developed by the Corps through a public participation process prior to being implemented. This plan allocated the lakeshore for the entire lake into classifications or zones and outlined authorized activities for each zone. Examples of such activities were fee schedules for permits, specifications for community docks, guidelines for vegetation alteration and debris removal.

A change in the nationwide regulation (ER 1130-2-406) governing shoreline management at Civil Works Projects, dated 31 October 1990, made it necessary to revise and update the original plan. In formulating the revised Shoreline Management Plan, the previous allocation of the shoreline was carefully reviewed to determine if the existing zones were appropriate and adequately served the needs of the public. The Shoreline Management Plan is required to be reviewed every five years to determine if an update/revision is necessary. The next review will be conducted five years from the approved date of this plan.

3. ELIGIBLE PARTIES

Individuals eligible to have a community dock or other permitted facilities as outlined in this regulation are limited to:

- A. Persons with a dock currently on the lake.
- B. Persons who rent or own property adjoining Government lands in the vicinity of designated “Limited Development Areas”.
- C. Persons who reside adjacent to or with legal access to areas designated as “Limited Development”.

4. SHORELINE ALLOCATION

A. General. Shoreline allocation (zoning) is the designation of Corps property into various land management zones. Corps land use allocations are based on the best way to manage and protect project resources for the benefit of the general public while at the same time providing an appropriate level of permitted shoreline use to adjacent property owners. The entire shoreline of Coralville Lake has been allocated into one of the zoning areas outlined in Paragraph B and delineated on the maps found in Appendix A. A large scale aerial photograph with marked zones is available for viewing at the Coralville Lake project office. The zoning classification assigned to an area applies to the land from the water’s edge to the project boundary.

B. Zones.

- 1) **Limited Development:** These are shoreline areas in which private shoreline uses or facilities are authorized through the issuance of a permit or license by the Corps. The specific private facilities or actions that can be permitted are listed in Section 10. Activities or structures may be allowed only after the licensee or permittee has taken steps to ensure the protection of the environmental resource.
- 2) **Public Recreation:** Public Recreation areas are those areas designated for commercial concessionaire facilities, Federal, state or other similar public use. No private shoreline use facilities and/or activities will be permitted within or near designated or developed public recreation areas. The term “near” depends on the terrain, road system, and other local conditions, so actual distances must be established on a case by case basis. No modification of land forms or vegetation by private individuals or groups of individuals is permitted in public recreation areas.
- 3) **Protected Shoreline:** Areas where no shoreline use permits are authorized for mooring posts, private floating facilities or fixed recreation facilities. The areas are designated as protected in order to maintain aesthetic features or to protect specific resources. Factors considered in a protected designation may include the potential for erosion, excessive siltation, exposure to high wind or wave action, fish and wildlife habitat, cultural resources and water depth. Normal foot traffic for access, hiking, fishing or other activities, not involving

alteration of the resource, is allowed in a Protected Shoreline Area. The only other permitted uses allowed in these areas are erosion protection utilizing riprap or a permit for debris removal. These uses may be allowed only *after* the Operations Manager has determined that no adverse environmental impact will result and a permit or license has been issued to the individual by the Corps. No permission is required for entry upon Protected Shoreline Areas and no individual shall attempt to impede free access by the general public to these lands.

- 4) **Prohibited Access:** Areas in which public access is not allowed for health, safety or security reasons. They are accessible to authorized personnel only.
- 5) **Other Agency Managed Areas:** Areas outgranted to a Federal, state, or public agency or educational institution where the shoreline is protected from private use facilities and/or activities. Development of public facilities in these locations is determined and authorized by the Master Plan and lease agreement. No private shoreline development will be permitted within or near designated or developed public recreation areas. The term “near” depends on the terrain, road system, and other local conditions, so actual distances must be established on a case by case basis. No modification of land forms or vegetation by private individuals or groups of individuals is permitted in these areas.

C. **Zoning Changes.** Re-designating zoning classifications is considered a major change to the Shoreline Management Plan and requires public involvement and comment prior to submission to the Commander, Mississippi Valley Division, for final review and approval.

5. DEVELOPMENT PERMITTED

In no case, will privately owned facilities receiving a permit (called “permitted facilities”) reach a density exceeding 50% of the lineal shoreline footage at normal summer pool within the designated Limited Development areas. Docks will be a minimum of 50 feet apart, as measured from the nearest point to the nearest point. At least one-third of the cove or channel must remain open for navigation. Water depth at lakeside/end of dock must be a minimum of four feet at normal summer pool. No permitted facilities will be allowed in present or future designated recreation sites.

6. PERMITS AND LICENSES

Shoreline development can be authorized on project lands designated as Limited Development Areas through the issuance of a permit or license by the Corps.

Applications, along with detailed plans or drawings for all structures or actions requiring a permit and/or license, will be made to the Operations Manager located at the Coralville Lake Project Office. The Operations Manager or their representative will make an initial inspection of the area in question with the applicant. If the license application appears

feasible, the Operations Manager will forward the application plans, specifications, special conditions along with their recommendations to the District Office Real Estate Division for processing. In the event that the application is clearly not feasible, the request will be denied at the field level by the Operations Manager and a record of the action, with the reasons for the denial, will be provided in writing to the applicant and documented in the project files.

All shoreline use permits will be issued by the District Commander or his/her representative (Operations Manager). Inspections for compliance with the conditions of the permit or license shall be the responsibility of the Operations Manager or their representative. Any noncompliance with the provisions of the permit or license will be addressed and corrected at the field level when possible. In the event that any noncompliance cannot be resolved at the field level, recommendations for the revocation of the permit or license will be promptly forwarded to the District Commander or his/her authorized representative for action.

In the event that a permit is revoked, certain appeal rights are available to the permittee. By giving 30 days written notice, either by certified or registered letter, the District Commander may revoke a permit whenever it is determined that the public interest necessitates such revocation or when it is determined that the permittee has failed to comply with the conditions of the permit. The revocation notice shall contain the reasons for such action. The permittee has 30 days to request a hearing if a revocation letter is received.

In spite of the above conditions, the District Commander may revoke a permit or license if, in their opinion, emergency conditions warrant such action.

7. CONDITIONS OF PERMITS OR LICENSES.

All privately owned facilities located on water resource projects must be covered by a permit or license. All facilities not covered will be considered unauthorized structures and will be removed without delay in accordance with Title 36, CFR Part 327.20. In addition, the individual responsible for the unauthorized structure is subject to all penalties provided by applicable statutes.

No private facility will be allowed on Corps land until such time as the licensee or permittee has a valid instrument in their possession and the private facility has been constructed in accordance with approved plans, inspected and approved by the Operations Manager or their representative.

Any construction carried out on Corps land (i.e. seawalls, docks, steps, etc.) shall be at the direction of, and under the supervision of, the Operations Manager or their representative. In the event that such construction does not meet minimum required standards, work will be promptly halted until those standards are met. If the necessary standards are not promptly met, the authorized permitting document will be revoked and the structure shall be removed by the owner, and the site restored to its original condition. In the event the owner does not remove the structure within 30 calendar days of a written notice to do so, the structure will be impounded and removed by project personnel. Impoundment procedures will be carried out in accordance with current regulations. The only exception to impoundment provisions

as stated in this paragraph is the appeal rights for private floating facilities outlined in Section 6, paragraph 4.

Whenever possible, all existing permits and licenses held by an individual will be combined to reduce costs and administrative paperwork. While the duration of the different instruments varies with the nature of the document, whenever possible the expiration dates will be coordinated to a common date, so that the renewals can be accomplished simultaneously.

Permits and licenses are nontransferable. Refunds will not be made for any unused portion of a permit or license that the grantee terminates before the expiration date. Upon the sale of adjacent private property or the death of the grantee and his/her legal spouse, the instrument is null and void.

8. DURATIONS AND FEES CHARGED FOR PERMITS OR LICENSES

Fees for permits are established by Headquarters, U.S. Army Corps of Engineers and are applicable nationwide. These fees may be subject to periodic update. Changes in the fees do not constitute a major revision of the Shoreline Management Plan; therefore an update of the Plan is not required for fee changes. Duration of permits or licenses and fees for such privileges shall be as follows:

- A.** Dock and mooring post permits may be valid for 5 years from the date it is approved by the Operations Manager or their representative. The charge is \$10.00 for a permit and the first year, plus \$5.00 inspection fee per annum for the following 4 years, for a total of \$30.00 over the life of the permit. Fees must be paid within 30 days of the application approval date. Authorized and approved modifications will be done at no additional charge to the permittee.
- B.** The fact that a permittee has obtained a Corps permit for a Community Dock in no way absolves them from obtaining required State or local permits, if any.
- C.** All other facilities will be covered by a license. Generally, a license is issued for a term of 5 years. The fee charged is fair market rental in accordance with applicable federal Real Estate regulations. All fees for the life of the instrument will be rendered before the instrument will be issued. In the event that the instrument is terminated before its expiration date, no portion of the fees will be rebated for the unused tenure of the instrument.
- D.** Fees may be paid in the form of check, money order, or credit card. Cash will not be accepted. The permit application will contain specific information regarding payment.

9. EXISTING PERMITTED FACILITIES

- A. **Private Facilities Located in Areas not Designated for Limited Development.** In the event that any legal private facilities are currently located in an area not zoned as Limited Development (none are known to exist at this time), the instrument holder may renew their permit or license on the expiration date of the permit or license during the lifetime of the licensee or until they terminate their interest in the facility. At that time, the instrument is automatically voided and the facility will be removed at the licensee's expense within 30 calendar days of the expiration date.

No new permits or licenses will be issued in areas other than those designated as Limited Development.

- B. **Private Floating Facilities.** All individual docks, installed prior to 01 September 1979, will be allowed to remain at their present site as long as the original permit holder (or spouse) maintains the dock facility in a safe and satisfactory manner (none are known to exist). All repairs will be made in accordance with standards prescribed for a community boat dock.

Any community docks located in areas not zoned for Limited Development (none are known to exist), will not contain the usual provisions for "add on" slips. If a member of a group terminates their interest in the dock, their portion of the dock will be removed within 30 calendar days of termination date and will not be reissued. Upon final approval of this SMP, should a private floating facility inadvertently be issued in an area zoned as protected shoreline it will be allowed to remain until which time the original dock permit holder terminates their interest in the dock, or fails to maintain the structure. The owner will be required to remove the structure. In the event that the owner does not remove the facility within 30 calendar days after receiving written notice to remove, the structure may be impounded by Corps personnel or a citation issued under Title 36, CFR 327.

10. APPROVED PRIVATE FACILITIES OR ACTIONS THAT MAY BE PERMITTED OR LICENSED

- A. **Community Boat Docks.** See Appendix B.
- B. **Mooring Posts.** Mooring posts will be permitted in the Limited Development Areas only. They must consist of one or more concrete anchors of sufficient size to hold the vessel being moored. A mooring post consists of a wooden 4 x 4 (or equivalent) purchased by the permittee. The mooring post must be firmly anchored into the ground with permit sign attached facing the water. Plans for mooring posts shall be approved prior to installation by the Operations Manager or their representative.
- C. **Stairways or Steps.** See Appendix C.
- D. **Erosion Control Devices.** See Appendix D.

E. Foot Paths and/or Foot Bridges. See Appendix E.

F. Vegetation Alteration, Tree Cutting, Trimming and Burning. See Appendix F.

11. PROHIBITED ITEMS.

The following are prohibited:

- A.** Boat houses.
- B.** Piers.
- C.** Buoys.
- D.** Any building or structure not covered by a permit or license.
- E.** Any sewage outfall or structure not covered by a license.
- F.** Wells or water springs.
- G.** Fences.
- H.** Devices such as fenders, bumpers, camels or matting made from old tires, logs, etc.
- I.** Garbage, debris, refuse dumps or garbage pickup points.
- J.** Boat ramps.
- K.** Roadways, turn-arounds, and parking areas not covered by a license.
- L.** Electrical lines and/or water lines.
- M.** Landscaping.
 - (1) Flower or vegetable gardens.
 - (2) Formal arrangements of hedges and shrubs.
 - (3) Painting or whitewashing tree trunks, boulders, stumps or rock outcrops. They shall be left in their natural condition.
 - (4) Swings, picnic tables, signs, patios, and/or personal items.
- N.** Disturbance to significant archaeological sites
 - (1) Disturbance of significant archaeological sites (called an historic property) or the removal of any artifact is prohibited. Disturbing or removing any cultural item is subject to the provisions and sanctions of the Antiquities Act of 1906 and/or Title 36, Part 327.14, CFR.
 - (2) No permit or license will be issued by the District Commander or his/her authorized representative for any structure or action that will affect an historic property until the site has been assessed under 36 CFR 800, the regulations implementing Section 106 of the National Historic Preservation Act and the necessary steps to avoid, minimize, or mitigate the effects of the action have been taken.
 - (3) The alteration of the natural terrain by making cuts or fills, unless in conjunction with construction of a legal authorized facility, is prohibited.

12. BOUNDARY IDENTIFICATION

- A. **Corps of Engineers Actions.** The property line between the Corps of Engineers fee title (federally-owned) property and that of adjacent private property has been surveyed and marked at each turning point by brass monuments set in concrete, with boundary posts installed between each monument. Trees located on or near the property line may also be marked to help establish the line. Corps personnel periodically inspect and maintain the boundary line. Adjacent landowners should contact the Corps office before initiating any work near the boundary line.

- B. **Landowner Actions.** It is the adjacent landowner's responsibility to ascertain the exact location of the boundary line prior to initiating any action which might result in a trespass or encroachment upon government property. Landowners should rely on the services of a licensed surveyor to identify the boundary to avoid encroachments or trespass. The government is not responsible for any costs incurred by adjacent landowners in delineating the boundary line.

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