

Wilson Lake

**Shoreline
Management
Plan**

2018 Edition



**US Army Corps
of Engineers®**

Kansas City District

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Wilson Lake Project
US Army Corps of Engineers, Kansas City District
Shoreline Management Plan

- 1) **Authority:** The authority for the preparation of the Shoreline Management Plan is contained in Title 36, Code of Federal Regulations, Section 327.30 dated 27 July 1990 and ER 1130-2-406, dated 31 October 1990.
- 2) **Purpose:** The purpose of the Shoreline Management Plan is to clarify and establish present policy; provide guidance for the management, protection, and restoration of the shoreline where degradation has occurred through private exclusive use; establish and maintain acceptable fish and wildlife habitats; maintain aesthetic quality and natural environmental conditions; and promote the safe, healthful use of the shoreline for recreational purposes by the public. Considerations used in formulating the Shoreline Management Plan were:
 - a. The demand for water-oriented recreational facilities will remain constant in the future with only a finite number of floating facilities available for utilization.
 - b. Prevent the expansion of private floating facilities, as is consistent with the existing land use allocation requirements, while honoring previous commitments to boat dock owners.
 - c. Private floating facilities will be designed, constructed and maintained so that they are structurally sound and do not pose a threat to the recreating public or project resources.
 - d. The permit, ownership or permission to utilize floating facilities does not convey special rights or privileges for the use of Government property. All uses of Government property will conform to Title 36, Rules and Regulations and local, state and federal laws having jurisdiction within these areas.
 - e. The ownership of land adjoining Wilson Lake does not convey special rights or privileges for use of Government property.
 - f. The Shoreline Management Plan should not create an undue hardship on individuals or private industries dependent upon private recreation facilities.
- 3) **Shoreline Allocation:** The entire shoreline of Wilson Lake has been allocated with the following classifications (Shoreline allocations are shown in appendix E).
 - a. **Public Recreation Areas:** Public Recreation Areas are typically defined as 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.

Wilson Lake has an exception to this definition in Minooka Park. The Marshall Cove area has 74 grandfathered boat docks permitted within the park area. Limited modification of land forms and vegetation is authorized in areas on a case by case basis to provide anchorage, maintenance of the facility and safe access.

The mooring of vessels is regulated by Title 36, Code of Federal Regulations, 327.3h.

Vessels shall not be attached or anchored to structures such as locks, dams, buoys, or other structures unless authorized by the District Commander. All vessels when not in actual use shall be removed from project lands and waters unless securely moored or stored at designated areas approved by the District Commander. The placing of floating or stationary mooring facilities on, adjacent to, or interfering with buoy, channel marker or other navigational aid is prohibited ” See paragraph 7a for vessel mooring on private docks.

Vessels not in operation and left unattended, will only be allowed on shorelines of designated recreation areas of the USACE property (See Appendix F for map). Overnight mooring is defined as the hours between 10:00 p.m. and 6:00 a.m. This authorization is only allowed to overnight occupants of a paid campsite.

- b. **Protected Shoreline Areas:** Protected Shoreline Areas are those areas designated to maintain or restore aesthetic, fish and wildlife, cultural, or other environmental values. Shoreline may also be so designated to prevent development in areas that are subject to excessive siltation, erosion, rapid dewatering, or exposure to high wind, wave, or current action and/or in areas in which development would interfere with navigation. No Shoreline Use Permits for floating or fixed recreation facilities will be allowed in protected areas.

Wilson Lake has an exception to this definition in Duvall Cove. The Duvall Cove area has 1 grandfathered boat dock permitted within the area. Limited modification of land forms and vegetation is authorized in the area on a case by case basis to provide anchorage, maintenance of the facility and safe access.

- c. **Prohibited Access Areas:** These shoreline areas are those in which public access is not allowed or is restricted for health, safety or security reasons including certain hazardous locations, and areas located near dams and spillways. Mooring of private floating recreation facilities, modification of land forms and vegetation is not permitted.
 - d. **Limited Development Areas:** These are areas where private exclusive use facilities and/or activities may be permitted consistent with rules and regulations in paragraph number six of this plan. Vegetation modification will be permitted only after due consideration of the effects of such activities on environmental and physical characteristics of the area.
- 4) **Grandfathered Boat Docks:** Grandfathered boat docks have had special restrictions placed on them to limit expansion, improvement and additions. Grandfather docks are allowed through ER1130-2-406 until the facility fails to meet the requirements set forth in the Shoreline Management Plan. If such docks require repair or replacement the permittee may do so to

maintain the permit. The replacement materials and/or dock will be of the same size and configuration as the original. Increases in size, modifications to the type of dock (slip to platform) or additions (roofs) are prohibited. Replacement docks will conform to current construction standards and be certified by a professional engineer prior to construction. A copy of professional engineer certified plans will be submitted to the Project Office for approval, prior to placement of the dock on the lake. Minor expansions beyond permit dimensions to accommodate industry standards will be allowed upon the approval of the Operations Manager.

- 5) **Consolidation of Docks:** Two or more docks/permits may be combined into one new dock and permit in accordance with the following conditions:
 - a) The new dock must be of new construction. (Refer to paragraph 7. Rules and Regulations)
 - b) The size of the new dock will not be greater than the sum of the previous docks square footage. The maximum square footage allowed is 1400 square feet if sufficient spacing exists.
 - c) The Shoreline Use Permit must follow requirements as stated in paragraph 6. Permit Requirements.
 - d) Docks will be spaced so as to be no closer together than 20 feet at normal pool elevation of 1516' msl.

- 6) **Permit Requirements:** All floating structures and vegetative modifications must be authorized by a Shoreline Use Permit (ENG Form 4264-R, Oct 90, appendix A). Permits are issued as to expire every 5 years. If a permit is issued on a “non-renewal” year, the permit fees will be prorated to accommodate. Applicable shoreline use fees are listed on Appendix D. Checks should be made payable to the “USAED-KC”. Permits will be issued to an individual but not to an organization or group. Each permit holder will be required to designate an alternate contact as well. Appendix C is presented and discussed with each permittee concerning the permit conditions at the time a permit is issued.

- 7) **Rules and Regulations:** Shoreline Use Permit conditions are established by Title 36, Code of Federal Regulation, Section 327.30 governing permitted shoreline use at civil works projects. These regulations, along with additional project policies and guidance, have been developed to administer the Shoreline Use Program and include the following:
 - a) **Floating Structures:**
 - 1) Use of private floating facilities, will be limited to vessel or watercraft mooring and storage of gear essential to vessel or watercraft operation.
 - 2) Private floating recreation facilities, including boat mooring facilities shall not be constructed or used for human habitation or in a manner which gives the appearance of converting Federal public property on which the facility is located to private, exclusive use. Docks with enclosed sides are prohibited.
 - 3) No private floating facility will exceed the space limitations required to moor the owner's boat(s) Specific size limitations for Wilson Lake will depend on the pre-existing dock dimensions and configuration. (Refer to paragraph 4. Grandfathered Boat Docks)

- 4) Batteries, gasoline or other flammable liquids are prohibited from storage on boat docks. If Solar Power is approved, the use of batteries will be inclusive.
- 5) Permit applicants shall, prior to the start of construction, submit plans and specifications of the proposed facility for approval. Engineering details, structural design, anchorage method, construction materials, and type and size of the facility must be included. All plans submitted must have been reviewed, stamped, and signed by a professional engineer certifying the proposed dock will meet or exceed established minimum design and load requirements.
 - (a) No changes or improvements can be made to a dock without prior written approval. (Refer to paragraph 4. Grandfathered Boat Docks)
 - (b) All plans submitted for approval must have been previously reviewed and signed by a professional registered engineer certifying that the design loads as established by the National Water Safety Congress (Reference: **Guidelines for the Safe Operation and Maintenance of Marinas, 2001 Revision of 1988 Guidelines**) and industry standards are met or exceeded. (Shown below)

Deck loads (substructure)	50 lbs. per square foot
Approach walkways	50 lbs. per square foot
Wind loads (substructure and superstructure)	20 lbs. per square foot
Roof loads (superstructure)	20 lbs. per square foot

- (c) Professional engineer drawings must be turned in and stamped on 8.5” X 11” white or graph paper prepared in black ink or pencil with the use of a straight edge. The professional engineer plans may also be in blueprint form.
- (d) All new dock sub frames will be constructed of Galvanized Steel, Stainless Steel, or Aluminum material.
- (e) All material used in the construction of a new dock facility must be noted on the plans and approved before construction begins. Construction materials commonly used for joist, rafters, studding and decking are wood and/or metal. All wood construction shall be either pressure treated or decay resistant. Creosote, arsenic or penta treated wood is not acceptable. Marine plywood may be used for decking. Composite materials are allowed for use, but additional support may be required in order to meet design standards. Metal decking must have a non-slip tread. All hardware (nails, bolts, screws, etc.)

must be galvanized or stainless steel. All nails, bolts or screws must securely fasten supports and decking to maintain structural stability.

- (f) No deviation or changes from approved plans will be allowed without approval from the Resource Manager. Modification of approved plans may require certification by a licensed engineer.
 - (g) Dock plans must include the anchor system, construction materials, and type and amount of flotation.
 - (h) All structural material including decking, nails, bolts, nuts, washers, etc. will be a type designed for marine use.
 - (i) In situations where it is necessary to access the shoreline with equipment to repair a dock or anchoring system the permittee must request a work permit. The Work Permit will be issued by the Project Office for a specific activity. Any damage to the shoreline or vegetation must be repaired or offset by the permittee.
 - (j) All electrical service to and wiring on private floating facilities must meet the requirements of the National Electrical Code. Prior to submission for final approval, plans for electrical service to and on private boat docks must be previously reviewed by a professional registered electrician and certified that all requirements of the National Electrical Code will be met.
- 6) Docks will be spaced to maintain a minimum buffer of 20 feet at conservation pool elevation of 1516' msl. A measurement is taken between the two closest points of the floating structures so as to be no closer together than 20 feet at normal pool elevation of 1516' msl. A greater spacing may be required based upon dock design or other factors. Final determination of sufficient spacing shall rest with the Natural Resource Manager.
- 7) Facilities must be securely anchored to the shoreline by means of moorings that do not obstruct the free use of the shoreline, nor damage vegetation or other natural features. Floating facilities must be physically anchored to the shore with a minimum of a walkway and cables. Docks may have a combination of stiff arm anchor poles or pole-sleeve anchor poles along with anchor cables. Pile anchoring and dead man anchoring will not be authorized. The Operations Project Manager or representative will approve the size, configuration, and anchoring plan for all docks.
- (a) Anchor cables will be minimum 5/16-inch stainless steel aircraft or galvanized cable. Cross cabling is recommended when space between docks is a limiting factor. All excess cable will be stored so as not to impeded mowers or create a tripping hazard. Cables/support poles will be attached to secure anchors above 1516 msl elevation and will not be attached to trees. During periods of low water, temporary anchor pins below 1516 msl elevation are allowed.

Dock owners are responsible for removing temporary anchors as lake levels return to normal.

- 8) Attachments such as personal watercraft lifts and boat lifts may be secured to a boat dock on the landward side of the dock structure (dead space), or within the slip. Attachments on the front or sides of a dock will not be permitted since it could possibly interfere with adjoining docks. Facilities such as slides, diving platforms, and diving boards can be dangerous due to the fluctuating lake levels and will not be allowed. Temporary grills may be mounted to the side of a dock however they may not extend over 3 feet from the edge of the structure.
- 9) All concerns dealing with trespassing, theft or vandalism should be reported to local law enforcement. Title 36, CFR applies to all structures located on project lands and waters. Corps of Engineers rangers have Title 36, CFR enforcement authority.
- 10) Private floating recreation facilities will not be placed so as to interfere with any authorized project purposes, including navigation, or create a safety or health hazard.
- 11) The installation of sleeping accommodations, cooking facilities, heating facilities, toilet and shower facilities, refrigeration, television, and other items conducive to human habitation on private recreation facilities is prohibited. Private floating facilities shall not be used for human habitation, this includes habitation on moored boats associated with private floating structures.
- 12) The district commander or his/her authorized representative may place special conditions on the permit when deemed necessary.
- 13) All construction of new private floating facilities must be completed within six months from the date of permit issuance. The permittee must notify project office personnel upon completion of construction. Failure to comply with this requirement will result in permit termination.
- 14) Each permittee will post two permit tags on the permitted facility. These tags will be provided by the project office. The tags will be displayed so that they can be visually checked from the shore or by boat.
- 15) On all new docks and boat mooring buoys, floatation shall be of materials which will not become waterlogged (not over 1-1/2 percent by volume ASTM), is resistant to damage by animals, and will not sink or contaminate the water if punctured. No metal covered or injected drum floatation will be allowed. Foam bead floatation that is not subject to deterioration through loss of beads, meets the above criteria, and has a minimum density of 1.2 lb/cu ft, is authorized. Foam bead floatation with a density of 1.0 lb/cu ft, but does not otherwise meet the above criteria is authorized provided it is encased in an approved protective coating which enables it to meet the specifications above. An approved coating is defined as that warranted by the manufacturer for a period of at least eight years against cracking, peeling, sloughing, and deterioration

from ultra violet rays, while retaining its resiliency against ice and bumps by watercraft. Existing floatation will be authorized until it has severely deteriorated and is no longer serviceable or capable of supporting the structure, at which time it should be replaced with approved floatation.

- 16) All permits will expire on the same year. Fees for boat dock permits shall be prorated where issuance of a permit is required during a non-renewal year (see appendix D, Shoreline Management Fee Schedule).
- 17) Permits for private floating facilities and mooring facilities will be issued only when the owner files a permanent address and telephone number with the project office at which he can be reached in case of emergency when he is not on site. Good faith efforts will be attempted to contact permittees to notify them of deficiencies or problems with their boat docks. Permittees which cannot be contacted will be considered non-responsive and risk possible revocation of their permit. Permit holders must report any change of address to the project office within 30 days of said change.
- 18) Shoreline Use Permit/Licenses are non-transferable and become null and void upon sale or transfer of the permitted facility, and/or the death of the permittee and their legal spouse. Prior to change of ownership of a permitted facility, the original permittee must notify the Project Office of their intent to terminate their Shoreline Use Permit/Licenses. The new owner must apply for a Shoreline Use Permit/License and provide a bill of sale and a notarized relinquish letter within 14 days or remove the facility and restore the area within 30 days of property transfer.
- 19) Any permitted facility that is not removed when specified in the permit or when requested after revocation of the permit, will be treated as unauthorized structures pursuant to Title 36, Chapter III, Section 327.20, Code of Federal Regulations.
- 20) Properly permitted boat docks which were in areas classified as Protected Lakeshore, Prohibited Access, or Public Recreation at the time of implementation of the Shoreline Management Plan may remain at their original mooring locations as long as permits are kept current and the facilities are properly maintained. Repairs may be made to these grandfathered docks to enable them to pass inspections. A grandfathered dock may be replaced when repairs to the old dock are impractical providing the replacement dock is of comparable size and design. No expansion or alteration of the design of these structures will be allowed. Mooring sites previously occupied by grandfathered docks will be permanently vacated upon permit termination or revocation and the subsequent removal of the grandfathered dock. Relocation of docks within Marshall Cove is allowed with approval from the Operations Manager if the relocation meets the following criteria: (Refer to paragraph 4. Grandfathered Boat Docks)
 - (a) The proposed mooring location does not interfere with project operations, encroach on other docks, and is confined within the designated boundaries of Marshall Cove (aerial map appendix E)

- (b) The relocation is requested due to environmental degradation or safety concerns at the existing mooring location (shoreline erosion, sedimentation build up, deterioration of rock bluffs). If no suitable mooring location exists, the boat dock will remain at its authorized location.

21) Dock Access: Mowing will be allowed to provide safe access and maintenance of dock anchorage system. Mowing will not exceed a 25' radius originating from the center of the dock walkway. An access walking path may be mowed, but not to exceed four feet in width. Herbicides will be not allowed for vegetation control. Mowing of areas to enhance camping or other activities is prohibited. The Operations Manager may authorize additional mowing exceeding this limit on an individual basis. The permittee must show justifiable cause for the additional mowing and definable limits of the area.

Temporary (non-permanent) dock walkways and steps are allowed if approved from the Operations Manager. No change of land form is allowed. Dock steps and walkways may only be authorized if they meet the following conditions:

- (a) They are securely attached to the dock or walkway.
- (b) Are not permanently anchored to shoreline.
- (c) Does not change the land form (no excavating of shoreline).
- (d) Adhere to material list
- (e) Design plans are approved and stamped by an Engineer
- (f) Steps are painted with a proper designated safety color
- (g) Any walkways not meeting these criteria will require the appropriate real estate out grant or be removed.

b) **Electrical Service Requirements:**

- 1) All electrical service must have a set of detailed plans on file and be signed by a Certified Electrician and may be achieved in 3 ways:
 - (a) Solar Power: Solar power is preferred/recommended option for providing electrical service to private docks. Requires engineer certified plans, must meet all national Electric Code (NEC) provisions. Solar power does not require a separate License, will be inspected during the annual dock inspections by the Project Office, and owner must have written approval prior to installation.
 - (b) Generator supplied electrical power: Electrical power to a private dock may be accomplished by the temporary use of a generator. The generator, if stored on the dock must be locked in a storage cabinet or otherwise secured against unauthorized usage. If any permanent wiring such as outlets, switches, or light are installed to be used with generator supplied power, then it shall require engineer certified plans and must meet all National Electric Code (NEC) provisions. Generator supplied Electrical Power does NOT require a

separate Shoreline Use Permit/License however, the owner must have written approval prior to installation. Generators must have all original factory installed safety devices (GFCI). It shall be the responsibility of the user to ensure that all safety devices are functioning properly prior to use and will not be tested during the annual dock inspections.

- (c) **DC only power:** Provision for DC only power. If a solar panel providing electricity for a specific use, i.e. charging of 12 volt battery, and is only providing DC current, and at no point converted/inverted into AC current then no authorization is required.
- 2) Major provisions of National Electric Code as it applies to private floating facilities are, but not limited to the following:
 - (a) All wiring must be in conduit
 - (b) All fixtures must be approved for wet / damp locations.
 - (c) All electrical outlets must be protected by a Ground Fault Circuit Interrupt system.
 - (d) All light bulbs must have a guard to protect against breakage and exposure of conductive surfaces.
- c) **Vegetation Modification:** Wilson Lake has no existing permits for independent mowing, firebreaks, or pathways. Due to the steep slopes typical of this area, mowing would be difficult and potentially dangerous. These conditions dictate the amount of mowing which property owners desire to maintain and is the primary reason that minimal vegetative modification permit requests have been submitted. Future requests for vegetation modification permits will not be considered for approval.
 - 1) The establishment of trees and shrubs on public land for the purpose of shoreline enhancement may be authorized. A planting plan must be completed and approved prior to work. Planting plans must indicate the location, type and number of trees/shrubs to be planted. Plantings should be randomly dispersed so as to not give a landscaped appearance and should be a minimum of 15 feet apart. Planting plans should also include a brief description on how the plantings are to be cared for and maintained.
- d) **Encroachment Detection and Resolution:** Project boundary will be monitored for the purpose of detecting and documenting any unauthorized activity on project lands. All encroachments noted will be resolved by removal of the encroaching items, discontinuing the unauthorized activity or securing the necessary approval.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY	The Rivers and Harbors Act of 1894 as amended and supplemented (33 U.S. C. 1)
PRINCIPAL PURPOSE	Provide the Corps of Engineers with information for contact of the responsible person applying for and/or receiving a Shoreline Management permit. The description of the activity is needed to assure conditions of the permit requirements are met.
ROUTINE USES	The information on this application is used in considering the issuance of shoreline management permits on Corps of Engineers projects. This information is collected and maintained at project offices and is used as basis for issuing permits. It provides auditing information for this program which has financial involvement.
DISCLOSURE	Disclosure of information is voluntary. However, failure to provide the requested information will preclude the issuance of a Shoreline Management permit.

APPENDIX B**PROPOSED SHORELINE MANAGEMENT ACTION**

Excerpt taken from page 9 of the Shoreline Management Plan.

c) **Electrical Service Requirements:**

- 2) All electrical service must have a set of detailed plans on file and be signed by a Certified Electrician and may be achieved in 3 ways:
 - (e) **Solar Power:** Solar power is preferred/recommended option for providing electrical service to private docks. Requires engineer certified plans, must meet all national Electric Code (NEC) provisions. Solar power does not require a separate License, will be inspected during the annual dock inspections by the Project Office, and owner must have written approval prior to installation.
 - (f) **Generator supplied electrical power:** Electrical power to a private dock may be accomplished by the temporary use of a generator. The generator, if stored on the dock must be locked in a storage cabinet or otherwise secured against unauthorized usage. If any permanent wiring such as outlets, switches, or light are installed to be used with generator supplied power, then it shall require engineer certified plans and must meet all National Electric Code (NEC) provisions. Generator supplied Electrical Power does NOT require a separate Shoreline Use Permit/License however, the owner must have written approval prior to installation. Generators must have all original factory installed safety devices (GFCI). It shall be the responsibility of the user to ensure that all safety devices are functioning properly prior to use and will not be tested during the annual dock inspections.
 - (g) **DC only power:** Provision for DC only power. If a solar panel providing electricity for a specific use, i.e. charging of 12 volt battery, and is only providing DC current, and at no point converted/inverted into AC current then no authorization is required.
- 3) Major provisions of National Electric Code as it applies to private floating facilities are, but not limited to the following:
 - (a) All wiring must be in conduit
 - (b) All fixtures must be approved for wet / damp locations.
 - (c) All electrical outlets must be protected by a Ground Fault Circuit Interrupt system.
 - (d) All light bulbs must have a guard to protect against breakage and exposure of conductive surfaces.

Duvall Cove

The reduction of boat docks in the Duvall Cove area will continue to be a priority. With only one boat dock remaining the maintenance of an access road to this area is impractical. The potential reductions in funding and manpower will require reduced maintenance and deteriorating access conditions. All permit holders have been contacted and advised of this situation and offered an opportunity to relocate to Marshall Cove.

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APPENDIX C**SHORELINE USE PERMIT CONDITIONS**

The Shoreline Use Permits Conditions fall under the Shoreline Management Plan.

- 1) This permit is granted solely to the applicant for the purpose described on the attached permit.
- 2) The permittee agrees to and does hereby release and agree to save and hold the Government non-accountable from any and all causes of action, suits at law or equity, or claims or demands or from any liability of any nature whatsoever for or on account of any damage to persons property, including a permitted facility, growing out of the ownership, construction, operation or maintenance by the permittee of the permitted facilities and/or activities.
- 3) Ownership, construction, operation, use and maintenance of a permitted facility are subject to the Government's navigation servitude.
- 4) No attempt shall be made by the permittee to forbid the full and free use by the public of all public waters and/or lands at or adjacent to the permitted facility or to unreasonably interfere with authorized project purposes, including navigation in connection with the ownership, construction, operation or maintenance of a permitted facility and/or activity.
- 5) The permittee agrees that if subsequent operations by the Government require an alteration in the location of a permitted facility and/or activity or if in the opinion of the district commander a permitted facility and/or activity shall cause unreasonable obstruction to navigation or that the public interest so requires, the permittee shall be required, upon written notice from the district commander to remove, alter, or relocate the permitted facility, without expense to the Government.
- 6) The Government shall in no case be liable for any damages or injury to a permitted facility which may be caused by or result from subsequent operations undertaken by the Government for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage. This includes any damage that may occur to private property if a facility is removed for noncompliance with the conditions of the permit.
- 7) Ownership, construction, operation, use and maintenance of a permitted facility and/or activity are subject to all applicable Federal, state and local laws and regulations. Failure to abide by these applicable laws and regulations may be cause for revocation of the permit.
- 8) This permit does not convey any property rights either in real estate or materials; and does not authorize any injury to private property or invasion of private rights or any infringement of Federal, state, or local laws or regulations, nor does it obviate the necessity of obtaining state or local assent required by law for the construction, operation, use and maintenance of a permitted facility and/or activity.

- 9) The permittee agrees to construct the facility within the time limit agreed to on the permit issuance date. The permit shall become null and void if construction is not completed within that period. Further, the permittee agrees to operate and maintain any permitted facility in a manner so as to provide safety, minimize any adverse impact on fish and wildlife habitat, natural, environmental, or cultural resources values and in a manner so as to minimize the degradation of water quality.
- 10) The permittee shall remove a permitted facility within 30 days, at his/her expense, and restore the waterway and lands to a condition accepted by the resource manager upon termination or revocation of this permit or if the permittee ceases to use, operate or maintain a permitted facility and/or activity. If the permittee fails to comply to the satisfaction of the resource manager, the district commander may remove the facility by contract or otherwise and the permittee agrees to pay all costs incurred thereof.
- 11) All replacement boat docks, access structures and any major structural changes to an existing boat dock require that a construction plan, stamped and signed by a professional engineer, be provided to the resource manager. New docks cannot be placed on Project waters, until such time that the owner receives written approval from the resource manager. Major structural changes to an existing dock cannot be made, until such time the owner receives written approval from the resource manager.
- 12) Engineer drawings must be turned in stamped and signed on 8.5" X 11" white or graph paper prepared in black ink or pencil with the use of a straight edge. The Engineer plans may also be in blueprint form.
- 13) The use of a permitted boat dock facility shall be limited to the mooring of the permittee's vessel or watercraft and the storage, in enclosed locker facilities, of his/her gear essential to the operation of such vessel or watercraft.
- 14) Neither a permitted facility nor any houseboat, cabin cruiser, or other vessel moored here to shall be used as a place of habitation or as a full or part-time residence or in any manner which gives the appearance of converting the public property, on which the facility is located, to private use.
- 15) Facilities granted under this permit will not be leased, rented, sub-let, or provided to others by any means of engaging in commercial activity(s) by the permittee or his/her agent for monetary gain. This does not preclude the permittee from selling total ownership to the facility.
- 16) On all replacement docks and boat mooring buoys, floatation shall be of materials which will not become waterlogged (not over 1-1/2 percent by volume ASTM), is resistant to damage by animals, and will not sink or contaminate the water if punctured. No metal covered or injected drum floatation will be allowed. Foam bead floatation that is not subject to deterioration through loss of beads, meets the above criteria, and has a minimum density of 1.2 lb/cu ft, is authorized. Foam bead floatation with a density of 1.0 lb/cu ft, but does not otherwise meet the above criteria is authorized provided it is encased in an approved protective coating which enables it to meet the specifications above. An approved coating is defined as warranted by the manufacturer for a period of at least eight years against cracking, peeling, sloughing and deterioration from ultra violet rays, while retaining its resiliency against ice and bumps by watercraft. Existing floatation

will be authorized until it has severely deteriorated and is no longer serviceable or capable of supporting the structure, at which time it should be replaced with approved floatation.

- 17) Permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. The resource manager will notify the permittee of any deficiencies and together establish a schedule for their correction. No deviation or changes from approved plans will be allowed without prior written approval from the resource manager.
- 18) Floating facilities shall be securely anchored to the shore in accordance with the approved plans by means of mooring which do not obstruct the general public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited.
- 19) The permit display tag shall be posted on the permitted facility and/or on the land area covered by the permit so that it can be visually checked with ease in accordance with instructions provided by the resource manager.
- 20) No vegetation other than that prescribed in the permit will be damaged, destroyed or removed. Use of chemical agents is prohibited. No vegetation of any kind will be planted, other than that specifically prescribed in the permit.
- 21) No change in land form, such as construction, or other activity that changes the original or present condition of the land is authorized by this permit. This includes but is not limited to beach construction, channel construction, bank terracing, cuts and fills, road and trail construction or Erosion control structures.
- 22) This permit is non-transferable. Upon the sale or other transfer of the permitted facility or the death of the permittee and his/her legal spouse, this permit is null and void.
- 23) By 30 days written notice, mailed to the permittee by certified letter, the district commander may revoke this permit whenever the public interest necessitates such revocation or when the permittee fails to comply with any permit condition or term. The revocation notice shall specify the reasons for such action. If the permittee requests a hearing in writing to the district commander through the resource manager within the 30 day period, the district commander shall grant such hearing at the earliest opportunity. In no event shall the hearing date be more than 60 days from the date of the hearing request. Following the hearing, a written decision will be rendered and a copy mailed to the permittee by certified letter.
- 24) Notwithstanding the condition cited in condition 21 above, if in the opinion of the district commander, emergency circumstances dictate otherwise, the district commander may summarily revoke the permit.
- 25) The resource manager or his/her authorized representative shall be allowed to access the permittee's property, as necessary, to inspect facilities and/or activities under permit.
- 26) If the ownership of a permitted facility is sold or transferred, the permittee or new owner will notify the resource manager of the action prior to finalization. The new owner must apply for a

Shoreline Use Permit within 14 days or remove the facility and restore the use area within 30 days from the date of ownership transfer.

- 27) If permitted facilities are removed for storage or extensive maintenance, the Operations Manager may require all portions of the facility be removed from public property.
- 28) Marshall Cove is within Minooka Park, and random camping is currently allowed. With boat docks this accessible, attempts to sleep on docks are common. Shoreline Use Permit condition 11 states that use of boat docks shall be limited to mooring of vessels and storage of equipment. Overnight occupancy or camping on boat docks is not allowed.
- 29) The unauthorized use of government property (picnic tables, grills, trash cans, etc.) on boat docks is prohibited.
- 30) Throughout the recreation season boat & trailer parking is common in Marshall Cove, giving the appearance of dry storage. Unattended private property is prohibited under Title 36, 327.15(a&c). Boat trailers may be parked in Marshall Cove so long as this use is concurrent with camping in Minooka Park. Storage of boats, travel trailers, wood piles, or placement of other private items on public land is strictly prohibited. These items are subject to removal and impoundment by Corps of Engineers personnel.
- 31) The permanent attachment of cooking grills to boat docks is prohibited.
- 32) Permitted facilities, camping areas and shoreline shall be kept free of trash and debris at all times.
- 33) All electrical service to and wiring on private floating facilities must meet the requirements of the National Electrical Code. Electrical service cannot be installed until owner receives written approval from the resource manager.
- 34) All construction of new private floating facilities must be completed within six months from the date of permit issuance. The permittee must notify project office personnel upon completion of construction. Failure to comply with this requirement will result in permit termination.

APPENDIX D

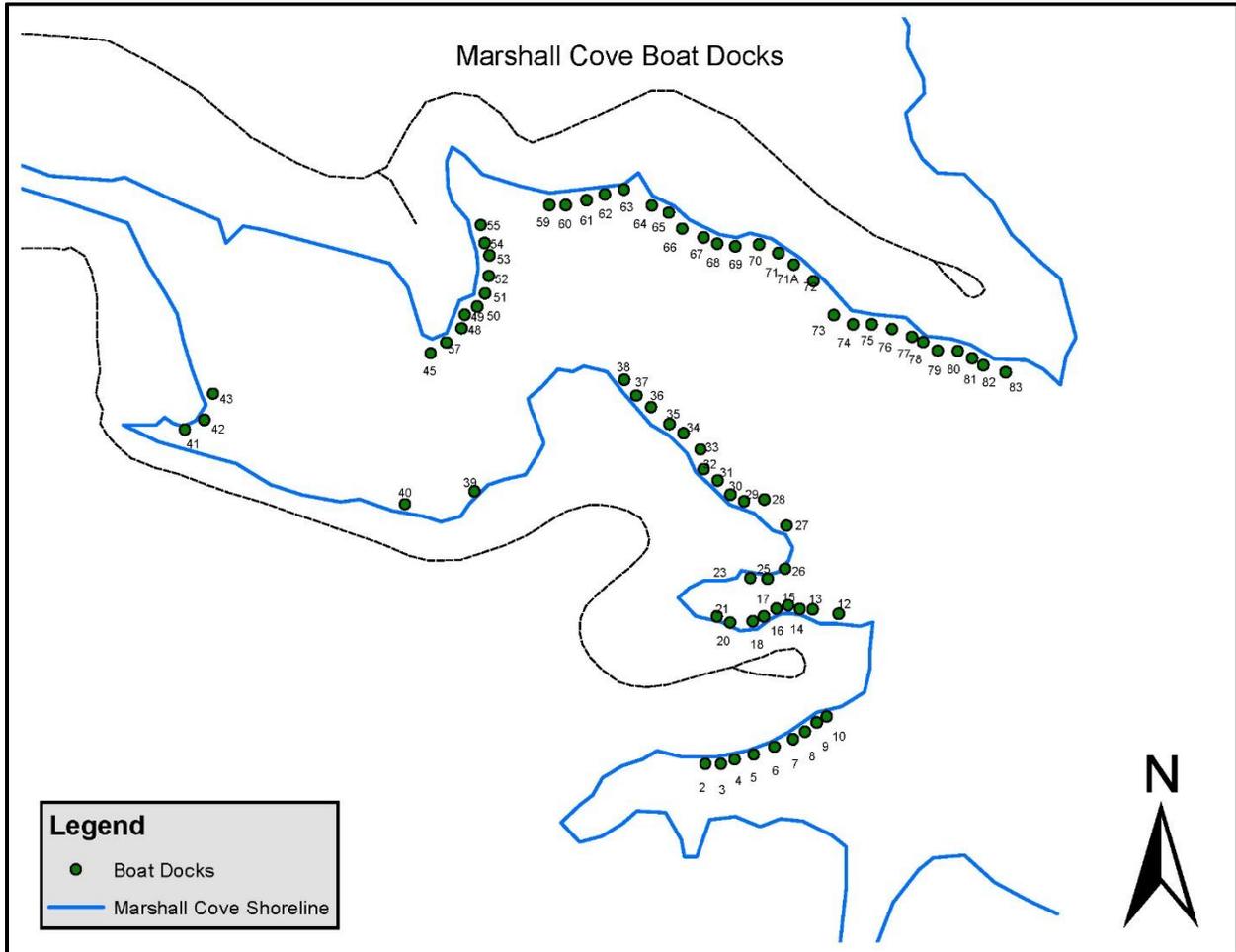
SHORELINE MANAGEMENT FEE SCHEDULE

Permit fees (as defined by 36 CFR 327.31) are assessed based on a \$ 10.00 administrative charge for the issuance of the permit and a \$ 5.00 annual inspection charge. Permits expire on 30 June. Calculating fees from this date should be used to determine permit fee. Permit issuance prior to 30 June will include a \$ 5.00 charge for the remainder of that year.

5 year permit from 30 June	\$ 35.00
4 year permit from 30 June	\$ 30.00
3 year permit from 30 June	\$ 25.00
2 year permit from 30 June	\$ 20.00
1 year permit from 30 June	\$ 15.00

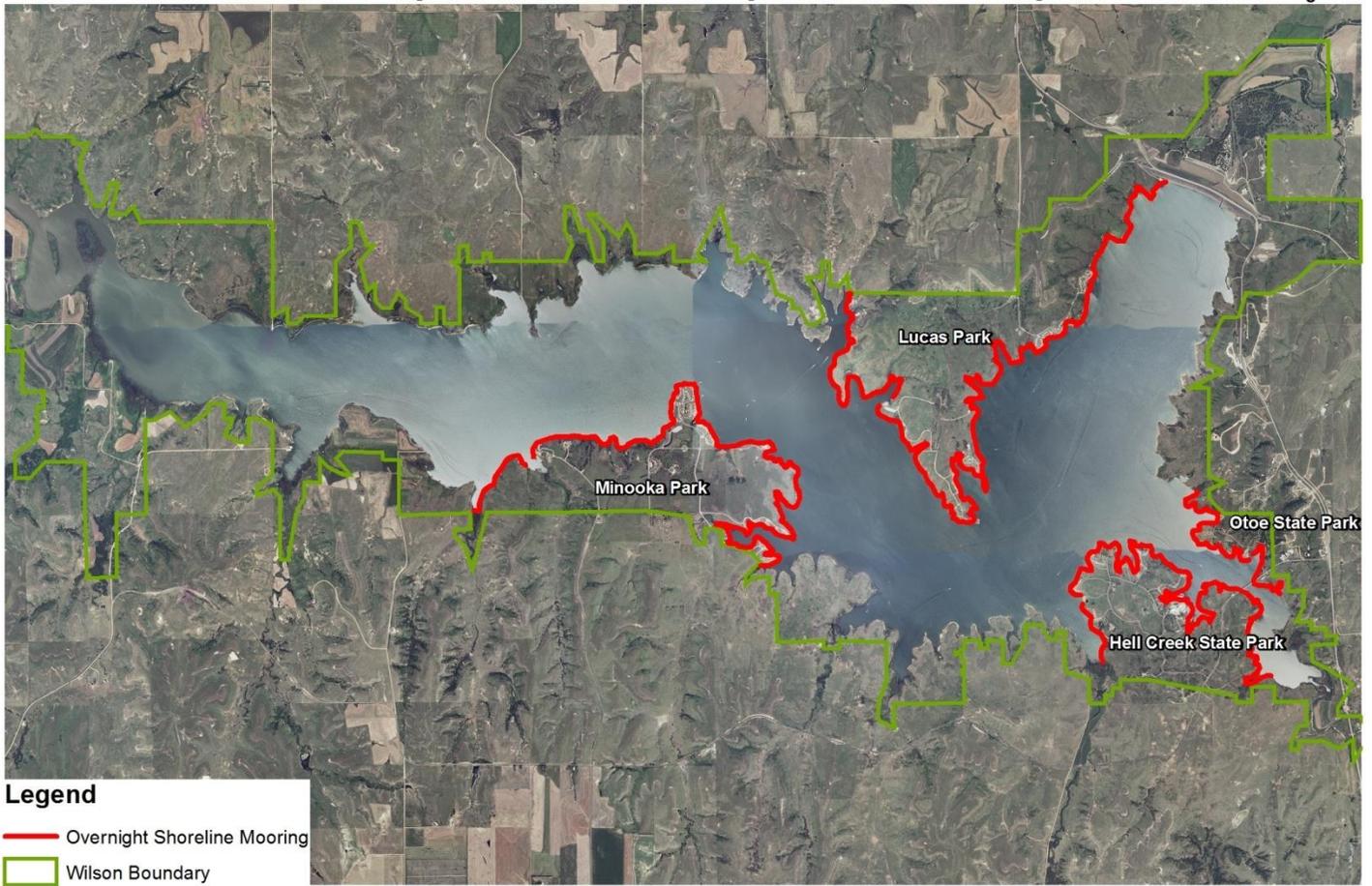
APPENDIX E

AERIAL MAP – MARSHALL COVE



APPENDIX F
OVERNIGHT SHORELINE MOORING MAP

Appendix F
Designated Areas for Overnight Shoreline Mooring



APPENDIX G
SAMPLE LETTERS

«FNAME» «LNAME»
«ADDRESS»
«CITY», «STATE» «ZIP»

Dock #«PERMIT2»

Dear «Title» «LNAME»,

Construction of the {SIZE/TYPE} dock you proposed to place on Wilson Lake is approved. All construction must conform to the certified plans submitted by {ENGINEER}. No deviations from the approved plans are authorized.

Shoreline Use permit conditions allow a six month period for completing construction once plans have been approved. This requires that the construction be completed and placed in its proper mooring location by {DATE}. Failure to comply with this deadline will result in termination of your boat dock permit.

Please contact me upon completion of construction so that an inspection can be performed to determine compliance with the approved plans. Please call me at 785-658-2551 if you have any questions or need assistance.

Sincerely,

Natural Resource Specialist

«FNAME» «LNAME»
«ADDRESS»
«CITY», «STATE» «ZIP»

Dock #«PERMIT2»

Dear «Title» «LNAME»,

Annual boat dock inspections were conducted on {DATE}. An inspection of your dock revealed the issues listed below. Your attention towards correcting these items prior to the follow up inspection is requested.

An inspection of your dock revealed the issues listed below. Your immediate response is requested.

1. Issue #1

Should you have any questions regarding this matter, please contact me at 785-658-2551.

Sincerely,

Natural Resource Specialist

«FNAME» «LNAME»
«ADDRESS»
«CITY», «STATE» «ZIP»

Dock #«PERMIT2»

Dear «Title» «LNAME»,

Annual boat dock inspections were conducted on {DATE}. Your dock was found to be in satisfactory condition. I would like to thank you for maintaining your dock in a safe and structurally sound condition.

Should you have any questions regarding this matter, please contact me at 785-658-2551.

Sincerely,

Natural Resource Specialist

APPENDIX H

INSPECTION PROCEDURES

Boat Docks will be inspected annually for structural and safety deficiencies. Inspections will be conducted each spring. ER1130-2-406 dated 31 Oct 90 states that permitted facilities must be operated, used and maintained in a safe, healthful condition at all times. Following this regulation, inspection procedures at Wilson Lake will include:

FLOTATION

- Approved type for dock
- Adequate amount, two design types of attachment are common. Method 1 attaches flotation to bottom of substructure frame keeping substructure out of water. Adequate flotation is determined if substructure remains out of water under load (Approx. 200 lbs). Method 2 attaches flotation between substructure members and rests on bottom of decking, substructure is in water. Adequate flotation is determined if bottom of decking remains out of water under load (Approx. 200 lbs).
- Satisfactory Condition
- Attached to dock; No loose or missing pieces
- Dock stable under load (no excessive pitching)

SUBSTRUCTURE FRAMING & FLOOR JOIST

- Attached Securely: no loose members
- Structurally Sound
- Not Rotten or Deteriorated

DECKING

- No Missing decking; attached securely
- Nails & Screws not protruding above walking surface
- No deteriorated or weak decking; structurally sound
- Replacement decking consistent with existing type on dock to maintain even walking surface. Covering deficient decking with plywood or other material is not allowed.
- If all decking is replaced on walkway and or dock, material must be a minimum of 1" measured thickness. 3/4" or less material will not be accepted.

SUPERSTRUCTURE UPRIGHTS & ROOF SUPPORTS

- Attached Securely
- No deteriorated or rotten members-Adequately supports roof

ROOF

- Rafters & purlins securely attached & sound
- No missing roofing
- Roofing securely attached
- Overhang not to exceed two feet

WALKWAYS

- Attached securely to dock, no chains or temporary attachments
- See Floatation, Substructure & Decking sections
- Handrails intact and able to support 200 lbs side pressure
- Deck surface above water level at normal pool
- Self-supporting or Floating walkway, no support may be in placed in the water or on land

ANCHORAGE

- Anchor arms are structurally sound and securely attached to dock & shoreline
- Pole and Sleeve are structurally sound and securely attached to dock & lake bed
- Safety cables are minimum 5/16" diameter and in place, secured to dock & shoreline
- Dock not attached to vegetation or natural structures.

STAIRS

- Stairs should be anchored at top and bottom
- Include proper handrails
- Must meet at least the required 8" rise and 8" width

HANDRAILS

- Handrails: Due to safety considerations, all new walkways shall have a standard 39-42 inch high continuous and solid rigid handrail with an intermediate rail at 19-22 inches high on both sides of the walkway/steps. Handrails are required on all steps. Vertical posts (spindles) can be used in place of mid-rails if they are 12 inches or less apart.
- Handrails intact and able to support 200 lbs side pressure.
- Located on both sides of stairs or walkway

MISCELLANEOUS

- The variety & type of docks at Wilson are numerous. Items not specifically addressed above should be inspected and evaluated for safety, structural integrity, conformance to Shoreline Use Permit and this plan. Permittees are required to safely maintain all facilities.
- Permittees will be contacted and advised of their dock passing or failing and deficiencies. Follow up inspections are conducted on 30 day intervals to correct deficiencies.

- The permittee will be notified of the deficiency on his/her dock three times. The third notification will include the Governments intent to initiate termination of their Shoreline Use Permit. As outlined in Shoreline Use Permit Conditions.
- When all deficiencies are corrected a letter will be forwarded to permittee advising of dock passing inspection.
- Any rotten wood or rusted metal which has deteriorated and poses a potential safety or health concern will be replaced.
- Jumping from sun tanning decks and/or roofs is prohibited