

Summary of the Monroe Lake Shoreline Management Plan

The purpose of this regulation is to provide policy and guidance on the management of the shoreline of Monroe Lake, Indiana. This regulation applies to private development at Monroe Lake. The objective of all management actions by the Corps of Engineers and the Indiana Department of Natural Resources is to achieve a balance between authorized private uses and resource protection for the benefit of the general public.

A Shoreline Management Plan is required for each Corps of Engineers' project where private shoreline use is allowed. A revision to the nationwide regulation governing shoreline management has made it necessary to create a plan for Monroe Lake. This plan allocates the shoreline for the entire lake into the various classifications or zones and outlines the authorized activities for each zone. Included are fee schedules for permits, specifications for group docks, guidelines for vegetation alteration and debris removal, as well as other factors affecting shoreline use. The appendices included at the end of the plan provide more detailed information and requirements covered more generally within the plan.

The nationwide shoreline management regulations call for periodic review of existing plans for possible additions or changes. The original plan has been reviewed and approved and reflects no changes in policy or actions by the Corps of Engineers or the IDNR. Minor items in the Appendices have been revised to reflect changes in fees or materials allowed. This plan collects in one document the various activities, uses, etc., that the property may be utilized for and the long-term policies that have been employed by the Corps of Engineers and the IDNR. It is hoped that this document will provide an adequate informational source to the public to identify appropriate activities as well as to recognize activities that are prohibited.

If the following document generates comments or questions, you may contact the Corps of Engineers Park Manager at Monroe Lake, 1620 East Monroe Dam Court, Bloomington, Indiana 47401 or by phone at 812-824-9136. Questions concerning the IDNR may be directed to the Lake Monroe Property Manager at Paynetown SRA, 4850 South State Road 446, Bloomington, IN 47401 or by phone 812-837-9318.

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SHORELINE MANAGEMENT PLAN
MONROE LAKE
WABASH RIVER BASIN, INDIANA
LOUISVILLE DISTRICT
U.S. ARMY CORPS OF ENGINEERS
INDIANA DEPARTMENT OF NATURAL RESOURCES
EFFECTIVE DATE 1 JAN 1997 (Revised 1 Jan 2003;Approved 6 Apr 2004)

1. Administrative and Regulatory Guidelines.

a. **Purpose.** The purpose of this regulation is to provide policy and guidance on the management of the shoreline of Monroe Lake, Indiana. It is designed to provide for a balanced use of the shoreline while preserving and protecting the natural resources of the project. This regulation applies to private development at Monroe Lake and is not intended to restrict project development by authorized governmental agencies.

b. **Scope.** This plan is applicable to Monroe Lake. Shoreline shall be construed as the portion of Monroe Lake that is held in fee simple estate by the U.S. Army Corps of Engineers whether or not it is covered by water. Easement estate held by the Corps of Engineers is not considered under this regulation, but is subject to the restrictions recorded 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) National Historic Preservation Act of 1966 (P.L. 89-665; 80 Stat. 915) as amended (16 USC 470 et seq.).

(4) The National Environmental Policy Act of 1969 (42 USC 4321, et seq.).

(5) The Clean Water Act (33 USC 1344, et seq.).

(6) 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."

(7) Executive Order 12088 (13 Oct 78).

(8) 33 CFR 320-330, "Regulatory Programs of the Corps of Engineers."

(9) ER 1130-2-406, "Shoreline Management at Civil Works Projects", dated 31 Oct 1990.

(10) ER 1130-2-400, "Management of Natural Resources and Outdoor Recreation at Civil Works Water Resource Projects."

(11) EM 385-1-1, "Safety and Health Requirements Manual."

(12) ER 1130-2-540, "Environmental Stewardship Operations and Maintenance Policies" (including EP 1130-2-540 guidance).

(13) ER 1130-2-550, "Recreation Operations and Maintenance Policies" (including EP 1130-2-550 guidance).

(14) State of Indiana Department of Natural Resources Indiana Code Rule No. 310 IAC 5-3 for Group Boat Docks sites at Monroe Lake.

(15) The Water Resources Development Act of 1986 (P. L. 99-662).

(16) Indiana Department of Natural Resources General Property Regulations.

d. **Policy.** It is the policy of the Chief of Engineers to manage and protect the shorelines of all Lakes under the Corps of Engineers 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, aesthetic quality, and natural environmental conditions. Ready access to and exit from these shorelines shall be provided for the general public at recreation areas in accordance with reference C(9) of this section.

e. **Objective.** The objective of all management actions by the Corps of Engineers and the Indiana Department of Natural Resources will be to achieve a balance between authorized private uses and resource protection for the benefit of the general public. Priority will be given to the protection of the resource over private uses that may have detrimental effects on that resource.

The objectives of the Shoreline Management Plan are:

(1) To preserve, protect, and enhance the environmental quality of Monroe Lake.

(2) To promote the safe and healthful use of the Monroe shoreline for recreational purposes for the general public.

(3) To manage the private use of public property in a manner that maintains a balance between authorized private use and protection of the resource for general public use.

(4) To promote restoration of the shoreline where degradation has occurred.

(5) To protect aesthetic quality and sustain natural conditions.

(6) To minimize the impact upon resources where private use is authorized.

(7) To protect and enhance the fish and wildlife habitat within the area.

2. Development of Shoreline Management Plan.

A Shoreline Management Plan is required for each Corps of Engineers' project where private shoreline use is allowed. A revision to the nationwide regulation governing shoreline management at Civil Works Projects, dated 31 October 1990, has made it necessary to create a plan for Monroe Lake. This plan allocates the shoreline for the entire lake into the various classifications or zones and outlines the authorized activities for each zone. Included are fee schedules for permits, specifications for group docks, guidelines for vegetation alteration and debris removal, as well as other factors affecting shoreline use. In formulating the Shoreline Management Plan, the entire plan was subjected to a public involvement process and valid public concerns and comments have been incorporated herein. The next scheduled review for updating the Shoreline Management Plan will be five years from the effective date of this plan. An update of the Shoreline Management Plan is not required for minor changes in the appendices.

3. Shoreline Allocation.

a. **General.** Shoreline allocation (zoning) is the designation of the Corps of Engineers' property into various land management zones. Specific activities or uses are permitted for each type of management zone. The land use allocations have been made in a manner which the Corps of Engineers and the Indiana Department of Natural Resources

deem to best manage and protect project resources for the benefit of the general public, while at the same time providing a responsible level of private use to adjacent property owners. The entire shoreline of Monroe Lake has been allocated into one of the four zoning areas outlined in Paragraph 3. b., and delineated on the map found in Appendix A. A large-scale map with the zoning marked is available for viewing at the Monroe project office and at the Paynetown State Recreation Area office. The zoning classification assigned to an area applies to the land from the water's edge to the project boundary. This zoning classification does not apply to lands adjacent to Monroe Lake that are owned and administered by the USDA Forest Service. A map of these lands can be obtained from the Hoosier National Forest.

b. Types of Zoning.

(1) **Prohibited Access.** These are areas in which public access is not allowed for health, safety or security reasons. They are accessible to authorized personnel only. At Monroe Lake these areas include both the Corps and State shop and maintenance areas. On the water, the upstream portion of the dam is closed to boats, and on the shore, access is prohibited along the upstream portion of the dam adjacent to the outlet structure. In addition, for wildlife management purposes, access to two waterfowl resting areas is prohibited between October and April.

(2) **Public Recreation Areas.** These areas are designated for concentrated use by the general public and include day use areas, campgrounds, launching ramps, and commercial concessionaire facilities. No private shoreline uses are allowed in or near these areas or in designated future recreation areas as defined by the project Master Plan.

(3) **Protected Shoreline Areas.** These are areas where no shoreline use permits are authorized for private floating facilities or fixed recreation facilities. The areas have been so designated 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 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.

Possible private uses allowed in these areas are erosion protection utilizing riprap, minor vegetation alteration permits, and road access. These uses may be allowed only after the Corps' Park Manager (or his representative) has determined that no adverse environmental or operational impact will result and a permit or license has been issued to the individual.

No permission is required for entry upon Protected Shoreline Areas and no individual shall attempt to impede the free access by the general public to these lands.

(4) **Limited Development Areas.** Limited Development Areas are shoreline areas in which private uses or facilities are authorized through the issuance of a license or permit. These areas are limited to sites where there are existing group docks. The exact locations of limited development areas are designated by yellow marker posts. These sites are listed in Appendix B. The specific activities that may be allowed are listed in Paragraph 8. Activities or structures may be allowed only after the licensee or permittee has taken steps to ensure the protection of the environmental resource.

c. **Zoning Changes.**

Rezoning from protected to limited development shall not be considered. Any other requested zoning changes which have significant benefits and no adverse impacts may be incorporated into the revised plan after complete coordination with the IDNR. The revised plan will be subject to public review and comment prior to submission to the Commander, Louisville District for final review and approval.

4. Permits, Licenses, Leases or Easements (Outgrants).

General. Private development may be authorized on project lands through the issuance of a permit, license, lease or easement.

Applications for all structures or actions requiring a permit, lease, license or easement, will be submitted to the Corps Park Manager at the project. This includes but is not limited to: roadways, steps, electric lines, pathways, etc. Applications for group boat docks, duck blinds, fishing tournaments, and hunting and trapping permits will be submitted to the Indiana Department of Natural Resources Property Manager. All plans for the construction of any structure must be submitted with the appropriate application. Detailed plans are required by both the Corps of Engineers and the IDNR.

The responsibilities of each agency are as follows:

a. **Corps of Engineers.** All permits, easements and licenses issued by the Corps will be processed by the Corps Park Manager or his/her representative, after the initial inspection of the area with the applicant. Shoreline permits, easements or licenses may be issued only to adjacent property owners and/or approved associations adjacent to government

property and qualifying utilities and municipalities. Applicants may be required to furnish documentation showing their right of access. In the event that the proposed action is unacceptable, the request will be denied at field level and a record of the action with the reasons for denial will be entered into the project files. Shoreline use permits, if acceptable, will be issued by the Corps' Park Manager and any permit fees collected at that time. If a license or easement application is acceptable, all application documents (plans, specifications, conditions and recommendations) will be forwarded to the IDNR for concurrence, as applicable. After the application is approved by the IDNR, it will be forwarded to the Corps District Office for the issuance of the appropriate document. Any required fees will be collected at the time the application is accepted and approved.

Inspection for compliance with the conditions of these items is the responsibility of the Corps Park Manager or his/her representative. Periodic compliance inspections on all licenses and permits will be conducted by the Park Manager or Corps representative. Any noncompliance with the provisions of the document will be brought to the attention of the instrument holder for correction at field level where possible. Continued noncompliance with the provisions of the outgrant document will result in prompt termination and removal of the outgrant structure.

b. **IDNR.** All IDNR permits (boat docks, etc.) will be processed by the IDNR Property Manager and forwarded to both the Director of Parks and Reservoirs and the Director of the IDNR (or their designees) for their concurrence and approval. Inspections for compliance with the conditions of the permit shall be the responsibility of the IDNR Property Manager or his designee. Any noncompliance with the provisions of the permit will be corrected at field level when possible. When necessary, recommendations for revocation of a permit will be promptly forwarded to the Director of Parks and Reservoirs for concurrence and approval. When the permit has been terminated the permittee will be required to remove the associated structure and restore the area to a natural condition, satisfactory to the IDNR.

5. Conditions of Permits, Licenses, Leases, or Easements.

a. **Corps of Engineers.** All private facilities located on water resource projects must be covered by a permit, lease, license, or easement. All private facilities not so covered by a legal instrument will be considered unauthorized structures and will be removed in accordance with Part 327.20, Title 36, CFR. In addition, the owner of the unauthorized structure may be cited into a U.S. Magistrate's Court for violation of the same CFR. Violations of this regulation may result in a fine or imprisonment. No private facility will be allowed on public lands until the lessee, licensee,

easement holder or permittee has a valid approving document in his possession. The private facility will be constructed in accordance with plans approved by the Corps of Engineers. All construction carried out on Corps lands must be inspected and approved by the Corps Park Manager or Corps 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 permitting document will be revoked and the structure will be removed by the owner, who will also be required to restore the work site to its original condition. If the owner does not remove the structure within 30 calendar days of written notice to remove, the structure may be removed by project personnel.

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

b. **IDNR.** The placement of any facilities or any action taken by the public in regard to vegetation alteration, terrain modification, archaeological disturbance or artifact removal as spelled out in this regulation without benefit of the appropriate permit, license or lease is a violation of IDNR General Property Regulations. Violations of the State Regulations may be punishable by a fine or imprisonment.

6. Fees for Permits, Leases, Licenses, or Easements.

The current fee schedule for both the Corps and the IDNR is included in Appendix C.

a. **Corps of Engineers.** A fee will be charged for each easement, license or permit issued by the Corps of Engineers, unless otherwise indicated in this plan. Such fees are due in advance and must be paid in full prior to the initiation of any construction or permitted activity. A change in the fees schedule does not constitute a major revision of the Shoreline Management Plan and an update of the plan is not required for each fee change.

(1) Fees for licenses and easements are based on fair market value for use of the land and the government's administrative cost of processing the document. These fees are subject to change as the market values fluctuate or administrative costs vary. A current license fee schedule will be provided by the Corps Park Manager upon request.

(2) Fees for permits are established by Headquarters, U.S. Army Corps of Engineers, approved by Congress, and are applicable nationwide. These fees may be subject to periodic update.

(3) Licenses and permits are nontransferable and refunds will not be made for any unused portion of a license or permit that the grantee terminates before the expiration date. Upon the sale or other transfer of the permitted facility or the death of the grantee and his/her legal spouse, the instrument is null and void.

(4) Fees may be paid in the form of check, money order, or cashiers check. Only the exact amount of the fees due will be accepted. Cash will not be accepted.

b. **IDNR.** Fees for private group boat docks, hunting, and fishing tournaments will be paid to the IDNR. The fees and charges are established by the IDNR.

7. Roadways.

a. **Access to a Dwelling.** A limited number of licenses or easements have been issued to provide access from public roads to private property with dwellings that existed at the time the lake was built. No new licenses or easements will be issued to provide access for any future dwellings on property adjacent to Corps' property.

b. **Temporary Timber Access.** If no other access is available, a short term license may be issued to provide temporary access for logging on private property. The access road is to be used for the hauling of timber only; any yarding must be done on private property.

c. **Agricultural Access.** Licenses have been issued to provide seasonal access to agricultural fields adjacent to Corps property and to access crop lease fields on Corps property. The access is for agricultural use only. It may not be used as access for a dwelling.

8. Private Facilities or Activities that may be approved.

Appropriate specifications and requirements for the following facilities and activities are included in the attached referenced Appendices. Commitments were made for certain activities and structures in the past. These past commitments will be honored as long as the structures are safely maintained and the appropriate documentation is kept in order.

a. **Corps of Engineers.**

(1) **Licenses or Easements.** The following facilities may be authorized by the issuance of a license or easement by the Real Estate Division after approval by the Park Manager:

(a) **Stairways, Steps, and Improved Pathways.** Licenses for stairways, steps, and/or improved pathways may be issued provided that the structures are in conjunction with group boat docks, do not interfere with project operation, are not obtrusive and are constructed in such a manner as to be easily removed. It is recommended that the structure should be constructed as to allow accessibility for persons with disabilities. The license for these structures are issued by the Corps of Engineers separately from the group boat dock permit with the concurrence of the IDNR. Specifications and conditions for stairways and steps and the application procedure are found in Appendix D.

(b) **Electric Lines to Group Docks.** Electric service may be licensed for the installation of lighting and convenience outlets, providing that the service poses no safety hazard nor conflicts with other recreational uses of the project. Electric lines connected to a dock will be installed with sufficient wire to allow the dock to rise and fall during pool fluctuations. All electrical service will be installed to meet current National Electric Code Standards. The conditions and specifications for electric service installation and the application procedures are contained in Appendix E.

(c) **Driveways and Roadways.** Easements or licenses may be issued for driveways and roadways only in conjunction with access from public roads to private property with housing that existed at the time of government purchase. Temporary roads for short term timber harvesting access may be issued on a case by case basis, at the discretion of the Park Manager. Private roadways providing vehicular access to shoreline facilities, ramps, parking lots and turnarounds are prohibited. Minimum specifications for roadways are found in Appendix F.

(d) **Footpaths and Footbridges.** Reinforced footpaths and footbridges may be licensed where terrain features such as ditches or ravines make them necessary to provide safe public access to group boat docks. Reinforced paths may be used as cart paths by persons with disabilities under certain conditions. See Appendix G for specifications and conditions.

(e) **Utilities.** Application for approval of utility lines and related structures across public property, excluding utilities to group boat docks,

will be accepted from only the utility company. Application for water transmission pipelines will only be accepted if written permission has first been received from the State of Indiana, Division of Water.

(2) **Shoreline Use Permits.** The following facilities or activities are allowed under a permit that is approved and issued by the Corps Park Manager.

(a) **Vegetation Alteration.** Vegetation alteration, to include mowing, removal of underbrush, selected tree removal and driftwood removal may be allowed only after the issuance of a permit by the Park Manager or his designated representative. **No herbicides may be used for vegetation control.** Vegetation alteration permits are covered in Appendix H. A fee is charged for a vegetation alteration permit in accordance with Appendix C. Mowing is allowed only for fire protection for structures and facilities, and where the Corps has made past commitments to an adjacent landowner to mow [see item 2) below].

1) Fire Protection: Mowing for fire protection is subject to all of the following conditions:

(a) Any dwelling constructed prior to 1975 may be considered for a fire protection permit. Structures constructed after this date should be constructed far enough away from the fee taking line that it will not need fire protection mowing on Corps property.

(b) Fire protection mowing will extend a maximum distance of fifty feet from the structure. Mowing limits will be marked by the Park Manager or Park Ranger.

2) Past Commitments to Landowner: These areas have already been established. They are not immediately adjacent to the shoreline and usually there is a county road between the area to be mowed and the lake.

3) Cutting Dead Trees: Permits may be issued to cut dead trees where they constitute a safety hazard. The specific dead trees must be marked by the Park Manager or Park Ranger and the permit must be issued before the dead trees can be cut. The downed material may be removed and disposed of off the project or cut up and stacked in wildlife brush piles, whichever is designated by the Corps.

4) Boundary Line Clearing: Mowing permits may be issued for the purpose of clarifying the Corps' boundary line. A maximum of five feet from the line may be allowed.

(b) **Erosion Control Devices.** Erosion control devices are permitted where bank erosion is a problem. These licenses are free due to the benefit derived by the project as a result of these devices. Structures may be riprap, gabions, or vegetative cover may be used. Specifications and conditions for erosion control devices are found in Appendix I.

(c) **Special Act Permits.** Certain activities or acts of an unusual nature and generally a one-time occurrence may be permitted by a letter permit from the Corps Park Manager after a determination has been made that the activity is necessary and that no significant adverse impact will result from this act. Application must be made to the Park Manager in writing, outlining the nature and purpose of the request. Each request will be reviewed separately and the permit, if issued, will outline all the conditions of the permit. A fee may be charged.

(d) **Special Events Permits.** Certain events such as scouting jamborees, fireworks, etc. may be held on Corps managed land. An application must be made to the Park Manager in writing outlining the details and nature of the request. Each request will be reviewed separately and the permit, if issued, will outline all the conditions of the permit. A fee may be charged.

(3) **Section 404.** Certain activities are regulated under the authority of Section 404 of the Water Pollution Control Act and are subject to the Endangered Species Act, the National Environmental Policy Act and the Fish and Wildlife Coordination Act. These regulated activities include dredging, extensive riprapping, construction of outfall lines, intake structures and other fixed structures, and the filling and discharge of dredged materials. Permits for items of this nature are issued by the Regulatory Functions Branch of the Operations Division. All requests to perform any of the above activities should be coordinated through the Corps Park Manager.

b. Indiana Department of Natural Resources.

(1) **Group Boat Docks.** All sites approved by the IDNR Plan for Group Boat Docks have been developed. Additional docks will not be considered. Individual bank ties are not allowed at Monroe Lake. All group boat docks will be constructed to minimum basic standards. The docks may be privately constructed or of a manufacturer's standard design. Specifications, conditions and application procedures for group boat docks are found in Appendix J. A fee is charged for dock permits. Fee information is found in Appendix C.

(2) **Duck Blinds.** Waterfowl hunting may be permitted in designated areas of land leased to the State of Indiana. Applications shall be made to the IDNR Property Manager. Availability and use of State constructed duck blinds is also controlled by the IDNR Property Manager. Regulations concerning duck blind construction is administered by the IDNR. Duck blinds are not allowed in restricted areas managed by the Corps of Engineers. The permittee shall not cut vegetation or otherwise alter government property to construct the blind. Floating blinds may be allowed, subject to State of Indiana hunting regulations. All federal and State laws, rules and regulations are in force in the hunting, taking or trapping of all fish and game species. No fee will be charged for duck blind permits.

(3) **Dove Hunting.** Dove hunting is allowed at Monroe Lake, as regulated by all federal and State laws, rules and regulations. A limited number of permits are issued daily for controlled dove hunts at fixed locations. Hunters are selected by conducting a drawing from a pool of qualified applicants. Permit holders are assigned a specific predetermined location.

(4) **Trapping.** Trapping is permitted and applications shall be made to the IDNR Property Manager. Regulations concerning trapping are administered by the IDNR. All federal and State laws, rules and regulations are applicable.

(5) **Special Event Permits.** Requests by such organizations for use of grounds or facilities to conduct contests, shooting matches, water or angling contests, or other special events will be handled in accordance with the following policies:

(a) Such activities shall be confined to areas so designated by the IDNR Property Manager.

(b) Areas designated for special uses must be so located and designed as to provide for the widest variety of compatible activities (archery, trap shooting, gun practice, etc.).

(c) Such areas must be open to all groups and the general public by reservation on a first-come, first-served basis unless otherwise authorized.

(d) Permission for use or reservation of such areas must be requested through, and approved by, the Director of the Department of Natural Resources or his designated representative. The procedures and policies proposed must be included with an application.

(e) Under no circumstances will private clubs or organizations be permitted to establish, construct, or erect permanent or temporary facilities or structures on property owned or leased to the Department of Natural Resources unless otherwise authorized.

(f) Such areas will be reserved for limited periods of time. Extension of time periods established shall be subject to discretion of the director.

(6) **Water Withdrawal.** Permission for municipalities or regional water systems to withdraw water from the lake may be granted by the IDNR and the Division of Water. More information can be obtained from the IDNR. It is also subject to restrictions created by the existing water withdrawal agreement with the City of Bloomington. A license or easement is also needed from the Corps to install a waterline.

9. Prohibited Items and Activities.

The following facilities or activities are specifically prohibited for the public on the fee simple lands or waters of Monroe Lake:

a. **Water Systems.** Systems designed for the withdrawal of water by individuals for either irrigation or domestic uses are prohibited.

b. **Landscaping.** Formal arrangements of hedges and shrubs will not be permitted except that an approved hedge may be planted and maintained on the fee boundary line. Plantings on Corps lands must be of approved materials in areas approved by the Park Manager.

c. **Flower or Vegetable Gardens.**

d. **Archaeological Sites.** The digging into, excavating, disturbing or removing of an archaeological site, artifact or historic property (as defined in the National Historic Preservation Act) is prohibited.

e. **Cuts and Fills.** The alteration of the natural terrain by making cuts or fills, unless in conjunction with construction of a legal facility, is prohibited.

f. **Boat Houses.**

g. **Piers or Jetties.**

h. **Any building or structure not covered by a permit, easement, license or lease.**

- i. **Any sewage outfall or structure.**
- j. **Wells or Spring Developments.**
- k. **Fences.** Except for farm fences on the property line.
- l. **Anchor posts or devices such as fenders and bumpers, or matting made from old tires, logs, etc.**
- m. **Garbage, Debris, Refuse Dumps or Garbage Pickup Points.**
- n. **Fixed or Semi-permanent Fuel Tanks or Storage Containers.**
- o. **Swings, Picnic Tables, Signs, Patios, etc.**
- p. **Ranging, Grazing, Watering or Allowing Livestock on Project Lands.** Except where authorized by the District Engineer or his authorized representative.
- q. **Marking Buoys.**

10. Boundary Identification.

a. **Corps of Engineers Actions.** The property line between the Corps of Engineers fee simple estate land and that of the adjacent property owners has been surveyed and marked by brass monuments set in concrete or metal pipe. Boundary posts are installed at and between each monument. Corps personnel periodically inspect and maintain the boundary line. Adjacent landowners should contact the Corps office before initiating any work near the boundary line. The Park Manager will mark the location of the government property line for landowners. This will eliminate inadvertent encroachments and answer any questions concerning land ownership.

b. **Landowner Actions.** It is the adjacent landowners' responsibility to ascertain the exact location of the boundary line prior to initiating any action which might result in a trespass upon government property. The Corps Park Manager should be contacted for assistance in locating the line if there is any doubt as to the exact location of the boundary. The government will not be responsible for any costs incurred by adjacent landowners in delineating the boundary line.

11. Fish and Wildlife. The Corps-owned lands and water of Monroe Lake, with the exception of the operations (dam) area, overlook picnic area, and the tailwater are leased to the Indiana Department of Natural Resources for management of fish and wildlife, as well as for recreational

development. Hunting is limited to specific management units as designated in the IDNR Wildlife Management Plan. Hunting and fishing activities are subject to all applicable State and Federal regulations governing these activities. The issuance of a shoreline permit or real estate license to an individual does not preclude the use of the land or waters involved from use by the public for hunting and fishing activities.

12. Enforcement. The placement of any of the facilities or any action taken in regard to vegetation alteration, terrain modification, archaeological disturbance or artifact removal as spelled out in this regulation without benefit of a permit or license is a violation of Title 36, Chapter III, Part 327, Code of Federal Regulations or IDNR General Property Regulations, as applicable. Violations of the Federal regulation may be punishable by a fine of not more than \$5000.00 and/or imprisonment not to exceed six months. Violations of the State Regulations may be punishable by a fine of not more than \$300.00 for each offense to which may be added imprisonment for not less than 30 days nor more than six (6) months.

APPENDIX A

Zoning Map

Under construction

A-1

Appendix B

Shoreline Management Plan, Monroe Lake

Zoning

1. The location of the Limited Development Sites are marked by yellow posts. The following are Limited Development Sites:

- a. A-1, Strain Ridge Boat Club
- b. A-2, Site 2 Association
- c. A-3, Site 3 Association
- d. C-6, Hardin-Monroe, Inc.
- e. C-7, Meadowland, Inc.
- f. D-8, Persimmon Ridge Corporation
- g. D-9, Ramp Creek Dock Association
- h. E-10, Boy Scouts of America
- i. I-14, IU Alumni Association - Shawnee Bluffs

- j. J-15, Overlook Partners LLC
- k. K-17, Salt Creek Services, Inc.

2. All other areas are either protected, restricted, or public recreation areas.

Appendix C

Shoreline Management Plan, Monroe Lake

Fees

1. **General.** A fee is charged for Real Estate licenses, easements, and shoreline use permits to cover the administration and inspection costs incurred by the Corps of Engineers. The fees are uniform for all Civil Works Projects under the jurisdiction of the Corps of Engineers and are subject to periodic revision. All fees will be paid in advance for the entire license and permit period. Fees are also charged by the IDNR for certain activities under their jurisdiction.

2. **Fee and Duration of Permit.**

Indiana Department of Natural Resources

a. Boat Docks - The permit fee for a boat dock will be \$75.00 per facility plus \$15.00 per slip on the facility, for a one year permit.

b. Duck Blind Permits - No fee.

c. Trapping - High bid.

d. Special Event - No fee.

Corps of Engineers

a. Vegetation Alteration - The fee for a vegetation alteration permit is \$10.00 for a five year period or a no-charge permit may be issued for debris removal or hazardous tree removal.

b. Special Events - The fees for special events permits will be determined on a case by case basis and will reflect the value or cost of any services provided by the Corps of Engineers in connection with the event. The Park Manager will advise the applicant as to the amount of the fee in advance and fee shall be paid at least 15 days prior to the event.

c. Special Acts Permit - There will be no fee for a special act permit, however the permittee may be assessed the cost of any damages resulting from the permitted activity or the amount of any costs incurred by the Corps of Engineers in conjunction with the permit.

d. Real Estate License - Real Estate license fees will include: the total fair market value of all combined licensed structures and the administrative cost. Current fees for 5-year licenses are as follows:

Roads (up to 500')	\$250.00
Paths, steps, and stairways	\$125.00
Utility access for group docks	\$75.00
Administrative cost for issuing a license	\$250.00

e. Real Estate Easement - Real Estate easement fees vary. Fees may include appraisals, inspections, cultural resource investigations, and fair market value. For determining estimated costs, contact the Park Manager.

3. Payment of Fees. - The Park Manager or a designated representative will collect the full fee for the entire period prior to issuing the permit, license, or easement. Payment shall be made by personal check, money order, or cashiers check made out to "F&AO, USAED, Ohio River". Cash will not be accepted.

4. Consolidated Permits. - Vegetation alteration permits may be consolidated with licenses that the permittee holds. These combined instruments will be approved by the Park Manager and issued by the Corps Real Estate Division.

Appendix D

Shoreline Management Plan, Monroe Lake

Stairways and Steps

1. **General.** Stairways and steps are permitted in Limited Development Areas through the issuance of a license by the Corps of Engineers Real Estate Division. The structures will be approved only where necessary to provide access to group docks and will not be authorized for landscaping or ornamental purposes or over gentle terrain presenting no major obstacles to foot traffic. Staircases will not be permitted over cliffs or bluffs that are near vertical.

2. **Specifications.**

a. Materials. Building material shall be dimensional lumber or similar material that can be removed if required. Metal staircases, massively placed concrete, or mortared block, brick or stone will not be permitted. All wood materials shall be pressure-treated or otherwise treated with a wood preservative that will not damage the environment.

b. Anchoring. All steps or stairways constructed of a floatable material shall be firmly anchored in place. Trees shall not be used as an anchoring device, nor shall handrails be attached to trees.

c. Painting. Steps and stairways will not be painted. A clear sealer or neutral stain may be applied to wooden materials. Existing wooden structures that were previously painted may continue to be painted a neutral color and metal structures will be maintained with the surface treatment of the initial installation.

3. **Design.** Pages D-3 and D-4 of this appendix contain a material specification. An alternate design may be submitted by the licensee for approval. Handrails may be required where the Corps Park Manager or representative deems necessary. Handrails shall be constructed from wooden rails mounted on posts. Steps should be placed to blend with the terrain and minimize erosion damage.

4. **Safety Considerations.** Existing stairways and steps that do not meet the guidelines in this plan will be allowed to remain as long as they are maintained in a safe condition. When the structure requires major repairs or becomes unsafe, it will be removed or brought into compliance with current specifications. The same will be required if there is a change in ownership of adjacent property.

5. **Application Procedures.** The applicant shall contact the Corps Park Manager or his/her representative and request a stairway or step license. The Park Manager or Park Ranger will inspect the proposed site to determine the feasibility of granting a license. If the project is feasible, the applicant will be given an application form and advised of the cost of the license. The completed application, plans and specifications for the

structure shall be submitted to the Park Manager. If the license is approved by both the Corps of Engineers and the Indiana Department of Parks and Reservoir Management, payment of fee is made, and a license will be issued. Should the applicant hold other licenses or permits, all licenses and permits may be consolidated into a single outgrant.

REQUIREMENTS FOR CONSTRUCTION AND MATERIAL FOR WALKWAY OR STAIR STRUCTURE ON THE SHORELINE AT MONROE LAKE

Real Estate License required prior to construction

1. The structure should be constructed from treated lumber; however, other materials may be considered as well. The structure should blend in with its natural environment and follow the natural line of the slope. It should not extend appreciably above its surroundings or out in to the lake. All lumber materials will be treated with chemicals unable to leach out when inundated with water and harmless to fisheries.
2. The top of the structure should be reasonably flat with no vertical extensions which might cause injury. A minimum width of 30" is required for the inside of the step; a maximum width of 60" is allowed for the outside of the stairs or ramp including the posts and handrails.
3. Disturbance to the work site and the surrounding area will be kept to a minimum. The disturbed area under the steps must be covered and filled by #2 stone, natural stone, or riprap. The ground surrounding the disturbed areas will be either graded, seeded &/or rocked to protect from further erosion as well. Any damage caused by vehicles, equipment, etc., needed for construction or hauling will be repaired immediately. Any existing trees, shrubs, or other protective vegetation should not be disturbed, damaged or removed without prior approval of Corps representative.
4. The individual pieces used to construct the steps shall be securely fastened to each other to ensure stability and if inundated no part should come loose. The upright posts should be at least 4"x 4" treated lumber and buried at least 3 feet into the ground. Added stabilization by the use of concrete will also be necessary. The bottom set of posts are recommended to be at least 6"x 6" posts. The stairs should have a 7" rise per foot for safety and ease of use. When handrails are required they will be constructed 39" (+- 3") high above stair treads/decking - 2"x 4" railings when posts are no greater than 6' apart. Wider spacing of posts requires 2" x 6" railing with 2" x 4" supplemental railing attached under the 2" x 6" at top of post. Guard or siderails (both sides) may also be required - 2" x 4" or greater guardrail 20" above steps/decking.

5. The size of the uprights, the steepness of the slope, the length of the structure, among other conditions will decide the distance between the uprights. The weaker the individual pieces are, the closer the placement will be needed. Treated lumber posts will be used; no metal posts allowed. A rule of thumb is about 6 feet apart for each post.
6. A minimum thickness for the horizontal stringers and steps is a 2" thick treated board. The minimum size of the stringers must be 2"x 12" boards. The minimum for step treads is one 2" x 12" boards or two 2" x 6" or equivalent. The width of staircase should not exceed 3' unless additional bracing or a center stringer is added.
7. Landing platform generally may not be greater than 4' x 6' with 2" x 10" joists and 2" x 6" decking or greater. Cross-support joists to be @ 2' or less on centers.
8. Hardware will be galvanized, plated, stainless steel or other corrosion - resistant bolts (1/2" or greater) and washers shall be used to fasten staircase and platforms to columns/posts. Galvanized or coated nails may be used elsewhere as required.
9. Other conditions or requirements may be included before the steps plan is accepted. The minimums provided may not be enough depending on the individual conditions of the site, so larger or stronger material may be required at the discretion of the Park Manager. Any unsafe conditions or degeneration in the structure must be repaired as soon as possible.
10. This license does not authorize the construction of a set of steps which will have a deleterious effect upon any environmentally sensitive area or wetland.

Appendix E

Shoreline Management Plan, Monroe Lake

Electric Service on Fee Lands

1. **General.** - The installation of electrical service to authorized facilities on fee land is permitted under the provisions of a license issued by the Real Estate Division. Electric service will be permitted for lighting and for convenience outlets adjacent to group docks. All such service shall pose no safety hazard to any individual nor interfere with any aspect of project operations. Due to the fluctuation of pool levels at Monroe Lake, installed

electrical service must be flexible and extendable on any floating facility. All electrical service is subject to the conditions in Paragraph 2.b. below.

2. **Conditions.** The following conditions apply to all electrical service on fee lands that serve approved or licensed facilities:

a. All electrical installations must conform to the National Electric Code and all state and local codes and regulations.

b. All electrical service that extends upon fee lands must be inspected by a State of Indiana certified inspector and proof of compliance provided to the Park Manager, Monroe Lake prior to energizing any circuits.

c. All electrical circuits which extend onto fee land must have a properly operating ground fault interrupter (GFI) installed above elevation 556 m.s.l. Failure to provide the GFI or to maintain such in a proper working condition may result in the license being revoked. The GFI shall be installed on a post or on the exterior of a building in plain view where it is readily accessible and shall be approximately 4 feet above the ground.

d. All new electrical wiring extending onto fee lands shall be buried to a depth of not less than 24 inches and the location marked with warning tape buried at a depth of 12 inches above the electric wire. Underground wiring must be direct burial type (UF or USE) which can be installed without conduit or THW or equal standard wiring installed in electrical conduit.

e. All above ground wiring shall be installed in an approved electrical conduit. All enclosures such as breaker boxes, switch boxes, and receptacles shall be weatherproof and shall be securely mounted on a treated wooden post a minimum of 4 feet above the ground.

f. Security lights shall be installed on treated wooden posts (4"X 4" min) or poles (4") not less than 12 feet above ground level. The base of the light pole shall not be lower than 544 m.s.l. Lights or wiring to lights shall not be installed on trees.

g. Convenience outlets will be permitted adjacent to group docks only if they meet the code provisions for building in wet locations. Outlets may also be installed in connection with a security light, on the same post. Any drop cords not in use will immediately be disconnected and removed from fee lands.

h. The applicant must submit a drawing or sketch of his/her proposed installation along with the application as specified in Para. 4.

i. The Indiana Department of Natural Resources issue permits for boat docks and have specific requirements for electrical service on the docks. The plans provided by the license applicant must meet both state and federal requirements before approval will be given. In the event of a conflict between the requirements the more stringent will be followed.

3. **Existing Facilities.** - The Park Manager will require the immediate upgrade or removal of any electrical service that is not certified, does not meet code or is not safely maintained. It is the responsibility of the licensee to assure that the initial inspection or certification is accomplished and to provide proof of such to the Park Manager. Corps of Engineers personnel will periodically inspect to assure that facilities are properly maintained.

4. **Application Procedures.** - The applicant should contact the Park Manager or his representative to inspect the site and to obtain an application for a license. Upon approval by the Park Manager, the applicant will be advised of the cost of the license and be billed later for that amount by Real Estate Division. Should the applicant have other licenses and/or permits, they may be combined into a single outgrant with the fees adjusted accordingly. The Real Estate Division will issue the license. The Park Manager or representative will inspect the initial installation to determine compliance with the license conditions.

REQUIREMENTS FOR INSTALLATION AND USE OF ELECTRICAL SERVICE ON GOVERNMENT FEE & EASEMENT LANDS AT MONROE LAKE

Note: All installations must meet or exceed minimum National Electric Code standards for Wet Locations, Marinas, and Boat Yards and any other additional requirements set by the Corps of Engineers as listed below.

1. A weatherproof breaker box must be located above elevation 556 m.s.l. and be readily accessible. The breaker box must be identified as weatherproof and must be mounted on a pressure treated post five (5) feet high and anchored in the ground 24 inches. A ground fault breaker which will protect the entire electrical system on project lands must be included in the box. This ground fault breaker must be properly grounded using an eight (8) foot ground rod driven into the ground two (2) feet from the post. Wiring entering and leaving the box must be in conduit.

2. Wiring leaving the box and installed underground must be direct burial type wire. The distance of the run and load will determine the wire size; 120 volts at 20 amps can be pushed 110 feet in 12 AWG copper, 175 feet in 10 AWG copper, and 280 feet in 8 AWG copper before voltage begins

to drop. This wiring must be buried a minimum of two (2) feet below the surface with warning tape buried one (1) foot below the surface. UF and USE type wire are approved for direct burial without conduit.

3. All aboveground wiring must be in approved non-metallic watertight electrical conduit with proper connections. Conduit which leads to receptacles or switches must be supported by pressure treated wood posts with sufficient clamps installed to prevent movement. PVC waterpipe is not allowed to be used in lieu of electrical conduit.
4. All excess openings in receptacle boxes, junction boxes, lighting fixture boxes or any other fixture must be plugged with a threaded plug and sealed with waterproof sealant to ensure that they are watertight.
5. All switches must be installed in waterproof boxes and mounted at least four (4) feet above the ground. Switch covers must be rated for "Wet locations when cover is closed" or better.
6. Receptacle covers which are rated as approved for "Wet locations when cover is closed" may be used if properly installed and if used only for temporary hookup. They will not be allowed for hookups which are left unattended or that could be rained upon.
7. Only treated wood poles will be allowed for any new installations. Lights on poles must be at least twelve (12) feet above the ground and the base of the pole no lower than 544 m.s.l. Mercury vapor or other approved type outside lights may be used providing all wiring is protected by conduit and the facility approved prior to installation.
8. Service poles or utility poles cannot be set below elevation 544' m.s.l. Minimum pole length is 16 feet, set at least 3 feet in the ground in concrete.
9. Receptacles must have a 20 ampere minimum rating. Outlets must be 15 and 20 ampere rated only and nothing must be plugged in the outlets when left unattended and not in use.
10. Wiring must be hard-wired into ground-fault circuitry.
11. Receptacle height on service post should be a minimum of four (4) feet above the ground.
12. Lighting fixtures and lights must be approved for outdoor locations. The minimum number of lights required for safe access will be allowed.

General Guidelines

1. All breakers, wire, cords, and receptacles must be sized to accommodate service needs.
2. A licensed electrician should perform the installations and will certify that it meets all appropriate code requirements.

Appendix F

Shoreline Management Plan, Monroe Lake

Licensed Roadways

1. **General.** Roadways may be allowed under the provisions of a license to grant access from a public road to private property and/or dwelling if there is no other access.
2. **Eligibility.** Licenses or easements for roadways to cross government land are issued in situations where a residence and access road existed at the time of the Corps' acquisition of the adjacent land, and that acquisition landlocked the residence. The licensee must agree to keep the licensed road that is on Corps' land open to free use by the general public on a year around basis and must maintain such in a usable condition. Failure to meet these conditions may result in the revocation of the license. Licenses will not be issued where significant alteration of the landform is necessary to construct the facility.
3. **Design Standards.**
 - a. Roadways will be surfaced with either crushed stone, creek gravel, asphalt or concrete.
 - b. Roadway width shall be 12 feet. The right-of-way or disturbed area shall not exceed 18 feet in width. Drainage structures will be permitted where required.
 - c. Roadways will follow the natural contour of the land to the maximum extent possible. Cuts or fills in excess of 18 inches will not be permitted except to install drainage structures.
4. **Application Procedure.** The applicant shall contact the Park Manager and request approval for a roadway license. The Park Manager or his

representative will inspect the proposed site and make a determination as to the necessity and feasibility of the proposal. If approved, the applicant will be required to complete an application and to prepare a detailed plan of the facility. Roads less than 500 feet in length may be approved by the Park Manager and have a standard fee. The fees for roadways over 500 feet in length will be determined by the Corps Real Estate Division on a case by case basis after receipt of the application from the project. Upon payment of the fee, the Real Estate Division will issue the license to the licensee. No work shall be started until the license is delivered to the applicant and approval given by the Park Manager to proceed with construction.

5. **Special Consideration.**

a. No commercial operations will be conducted at any of the licensed facilities covered under this appendix unless approved by the Park Manager.

b. No vegetation will be removed except by permission of the Park Manager or his representative.

c. Licensee shall be responsible for collecting and properly disposing of all garbage and debris deposited on the licensed facility, regardless of the source.

d. Licensee shall provide and maintain such signs, as the Corps of Engineers deem necessary to provide for public safety.

Appendix G

Shoreline Management Plan, Monroe Lake

Foot Paths, Foot Bridges, and Cart Paths

1. **General.** Foot paths, foot bridges, and cart paths may be authorized under the provisions of a license to adjoining property owners in an area that is zoned Limited Development to gain access to approved boat docks. Cart path licenses for the use of motorized conveyances will only be issued to landowners providing access for the mobility-impaired outlined below. Paths will be constructed to minimize damage to vegetation.

2. **Foot Paths.** Foot paths shall not exceed 5 feet in width and may be paved with creek gravel, crushed stone, tan bark, wood chips, stepping stones or other readily removable material. Asphalt or concrete will not be

used for foot path surfacing. At the licensee's option, landscaping timbers may be used to edge the path and confine the paving material; however such timbers will be securely anchored to prevent floating. Creosoted timbers (railroad ties) are banned from use below flood pool elevation 556 m.s.l. No significant alteration (over 6 inch cut and fill) will be permitted for a foot path. The slope of the path should be held to a minimum through the use of a zig-zagged layout to reduce erosion damage.

3. **Foot Bridges.** Foot bridges may be authorized where necessary to traverse ditches or ravines that impede access to the shoreline or a dock. Bridges will not be authorized solely for ornamental or landscaping purposes. Bridges will be constructed of wood that has been treated with a preservative that is not harmful to the environment. Bridges will not be painted but a clear sealer may be applied. Structures will be firmly anchored to prevent flotation. Trees will not be used for anchoring devices or any part of the structure. A bridge should be constructed to meet specifications similar to the step requirements found in Appendix D.

4. **Cart Paths.**

a. Eligibility. Cart path licenses will be issued only in conjunction with approved boat docks to those adjacent landowners who wish to provide accessibility for persons with mobility disabilities. A medical doctor must provide signed documentation to show the long-term or permanent need for the access.

b. Authorized Use. The cart path license will authorize a disabled individual to operate or be a passenger in a motorized conveyance operated on the path for the purpose of gaining access to a boat dock. The conveyance may be a golf cart, a 4-wheeled ATV, or similar vehicle. Two-wheeled vehicles such as motorcycles or dirt bikes or any vehicle which can be licensed for highway use will not be operated on the path. Authorized conveyances will operate only on the reinforced surface of the path and any violation of this condition will be considered a violation of Part 327.2c of Title 36 CFR and handled as such. In addition, the license may be revoked and the licensee required to remove the path and restore the area to its original condition.

c. Design. The cart path shall not exceed 6 feet in width and shall be surfaced with concrete, crushed stone or creek gravel. If the path is not surfaced with concrete, it shall be edged with landscape timbers or like timbers, securely anchored to prevent floating. Cut and fill over 18 inches is not permitted, however small culverts or pipes may be used to cross ditches or ravines. The slope of the path should be held to a minimum by use of a zig-zagged layout to reduce erosion damage. A small turnaround may be constructed at the terminus of the path at the shoreline. The path

shall be constructed to meet the requirements of the Americans with Disabilities Act of 1992 (ADA).

d. **Layout.** The Park Manager will review and approve the location of all cart paths. The Park Manager may authorize the construction of a cart path through areas in which there are other outgrants if such action is necessary to permit access to an existing group dock, however only a mobility-disabled person may operate or have operated a motorized conveyance on the cart path.

5. **Application Procedures.** The applicant should contact the Park Manager and request the desired structure. The Park Manager or a designated representative will inspect the site to verify the need for the structure and its feasibility. If approved, the applicant will be required to complete an application, provide a set of plans and specifications. The application will be forwarded to the Corps Real Estate Division for fee collection and the issuance of a license.

Appendix H

Shoreline Management Plan, Monroe Lake

Vegetation Alteration Permits

1. **General.** Vegetation alteration permits (VA) may be issued subject to the conditions contained in this appendix. The alteration of vegetation to provide a view of the lake or a dock, to develop a lawn type appearance, or to portray the appearance of an extension of private ownership onto Corps of Engineers land will not be permitted. Areas where extensive vegetation alteration has occurred in the past will be restored by a gradual reduction in the amount of mowing/alteration allowed.

2. **Eligibility.** VA permits will be issued only to individuals owning property abutting Corps of Engineers' fee land. Permits may be issued to cut dead trees, if they are determined to be a safety hazard. Permits to mow may be issued only where fire protection is needed. Mowing for fire protection is subject to all of the following conditions:

a. Any structure or facility constructed prior to 1975 may be considered for a fire protection permit. Structures constructed after this date should be constructed far enough away from the fee taking line that it will not need fire protection mowing on Corps property.

b. Fire protection mowing will extend a maximum distance of fifty feet from the structure. Mowing limits will be marked by the Park Manager or Park Ranger.

3. **Size and Configuration.** The area in which vegetation alteration may be performed for fire protection shall consist of an area that is no more than 50 feet from the government property line.

4. **Scope.** Vegetation alteration may consist of removing selected trees, underbrushing, trimming, pruning, mowing, or driftwood removal. Prior to the removal of any vegetation, the permittee shall meet with the Park Manager or Ranger who will outline the limits of the permit area and designate trees or other vegetation that must be left in the permit area. A minimum of one tree or viable stem for each ten foot square will be left. In no case will clear cutting be allowed and trees larger than 3" diameter at 6" above the ground will not be cut unless dead, diseased, or damaged and approved for cutting by the Corps representative.

a. Mowing. Vegetation within the permit area may be controlled by mowing with small riding mowers, push mowers or weed cutters using string cutting heads. Agricultural or industrial tractors or mowers shall not be used unless approved by the Park Manager. Permittee shall exercise care to protect the vegetation designated to remain.

b. Pruning and Trimming. Trees within the permit area that are larger than three inches in diameter breast high (D.B.H.) may be trimmed or pruned to a height of seven feet above the ground or one-half the total tree height, whichever is less.

c. Underbrushing. Permittee may elect to selectively remove certain undesirable vegetation within the permit area such as poison ivy, oak, sumac, vines, briars, and thistles in lieu of mowing.

d. Driftwood Removal. Driftwood, downed timber, and other floating debris within the permit area can be removed by the authority of the VA permit. Disposal shall be by burning as outlined in Para. 5 below, or by removal and disposal off site.

e. Herbicides. No herbicides may be used for vegetation control on government property.

5. **Burning.** All driftwood, wooden debris, tree laps, etc., may be burned unless prohibited by State or local laws and regulations. All burning shall be conducted off federal lands or confined to an area designated by the Park Manager or his representative. All applicable burning and clean air codes, laws, rules, and regulations shall be adhered to. The vegetation

alteration permittee shall obtain a separate burning permit from the Park Manager prior to any burning on Corps lands. There is no charge for the burning permit.

6. **Term of Permits.** Vegetation alteration permits will be issued for a five year period. Expiration dates will be on the anniversary date of the issue of the permit. In certain instances where a permittee holds other permits and/or licenses the vegetation alteration permit may be consolidated into a single outgrant with the other instruments with a common expiration date. The Park Manager may issue one time vegetation alteration permits for such activities as removing a hazardous dead tree or removal of driftwood at a dock location. The permits will be of short duration and are free of charge.

7. **Fees.** A fee may be charged for vegetation alteration permits to cover administrative costs incurred by the Corps of Engineers. The amount of this fee is found in Appendix C of the Shoreline Management Plan. These fees are applicable nationwide and are subject to periodic review and adjustment. Payment of the appropriate fee is required by check, money order, or cashiers check made payable to "USAED, Louisville" prior to issuance of the permit. No fee will be charged for a five foot unimproved path located in a Limited Development Area.

8. **Application Procedures.** First-time vegetation alteration permit applicants must contact the Park Manager or his representative to obtain a permit. An on-site inspection by the Corps Manager/Ranger and the applicant will be conducted at which time all conditions of the permit will be explained and the permit area delineated. Upon receipt of payment, the Ranger will issue the permit or take an application if the permit is to be consolidated with other instruments. A permit may be renewed by mail, provided that there is no change in the permit. Any requested change will require an on-site meeting to redefine the scope of the permit. The permit holder will be notified approximately 60 days prior to the expiration date of their permit and advised to renew the permit. A permit that is not renewed within 60 days of the expiration date will be null and void and renewal after this date will be subject to any new guidelines as to size, configuration, or other requirements.

Appendix I

Shoreline Management Plan, Monroe Lake

Erosion Control Devices

1. **General.** Erosion control devices will be authorized by a license where bank stabilization is needed to prevent the loss of shoreline due to wave

and wake action. These devices are subject to the provision of Section 404 of the Clean Water Act where the placement of fill material into the lake is involved. Due to the mutual benefit derived from these structures, no fee will be charged for this license.

2. **Specifications.** Bank stabilization may consist of placed or dumped rip rap or stone filled wire baskets (gabions) placed immediately above and below the summer pool elevation, 538 m.s.l. No massively constructed structures such as mortared masonry units or poured concrete will be allowed, nor will retaining wall type structures built from timbers or stone. The quantity of stone for dumped or placed rip rap shall not exceed one cubic yard per running foot of shoreline unless a general 404 permit is obtained. The stone shall not extend more than ten feet vertically above or five feet below summer pool elevation. The length of shoreline on which stabilization may be performed by one licensee is limited to the adjoining lot width or 500 feet, whichever is less unless approved by the Park Manager. Rip rap stone must be 6" - 12" size or larger. The use of vegetation or plantings, such as willow bundles may be approved for erosion control. Any such proposal should be submitted to the Park Manager for evaluation and approval.

3. **Application Procedure.** The applicant should contact the Park Manager and request permission to install an erosion-control device. The Park Manager or his representative will inspect the site to verify the need for bank stabilization. If erosion protection is necessary, the applicant will be asked to submit a completed application and his proposed plan. After approval by the Park Manager and the State Property Manager, the application will be forward to the Real Estate Division for issuance of a license. There will be no fee charged for this license or any subsequent renewal. The licensee may or may not be required to remove the structure upon expiration of the license at the discretion of the Park Manager.

APPENDIX J

Shoreline Management Plan, Monroe Lake

Group Boat Docks

1. **General.** Permits for group floating docks will be issued in the areas that are zoned Limited Development and where criteria are met as identified in the attached copy of the IDNR Group Boat Dock Regulation. The location and maximum number of private docks and watercraft has been determined by the Indiana Department of Natural Resources and identified on the map in appendix A. All portions of the dock must be

maintained in a usable and safe condition, occasion no threat to life or property, and be in substantial compliance with the existing permit.

2. **Construction.**

a. Head Dock Unit: Minimum 4 feet wide
Sides and ends, minimum 2" X 10"
Deck, minimum 2" X 4"

b. Finger Dock Unit: Minimum 3 feet wide
Side and ends, minimum 2" X 10"
Deck, minimum 2" X 4"

c. Walkway Unit: Minimum 3 feet wide
Sides and ends, minimum 2" X 10"
Deck, minimum 2" X 10"

d. All wood components shall be preservative treated in accordance with the American Wood Preserves Institute LP-22 specification.

e. Connection of adjacent dock units and dock units to walkways shall be hinged so that flexibility can be obtained without sacrifice to safety.

3. **Floatation.**

a. Floatation units shall consist of either a polyethylene cased unit or an air or foam filled polystyrene unit. Floatation units shall consist of high density polyethylene casing filled with expanded polystyrene. The average case thickness shall not be less than .100" with 0.70" allowable in small areas of large radius outside corners, and 0.050 allowable in small areas of small inside radius corners. Expanded polystyrene shall have an in place density of 1.0 lb/cu.ft. to 2.3 lb/cu.ft. Drums and exposed styrofoam are not acceptable.

4. **Anchorage.** Docks shall be securely moored and/or anchored to prevent drifting during periods of high winds, waves, and fluctuation of the reservoir pool elevation. Securing to trees or other natural features is not permitted.

5. **Housekeeping.**

a. Safety hazards such as loose or rotted boards, trip hazards, warped finger sections, unsafe walkways, and improper electrical connections shall be grounds for revocation of permit until repairs are made.

b. Dock facilities and adjacent area shall be kept clean and free of trash, garbage, floating debris and other unsightly accumulation.

6. Special Considerations.

a. Operation and/or surveillance of dock shall be on a 24-hour basis (at all times) by a member of the corporation or by an appointed responsible agent. (This is to avoid interference with reservoir operations).

b. Permittees shall, at their own expense, erect and maintain a buoy with a sign reading: "IDLE ZONE, NO WAKE or WASH". The buoy shall be located 200' out from the dock.

c. "Private Property, Keep Off" signs will not be permitted on the dock or shore.

d. A permit number of the dock shall be displayed on the dock so it can easily be read by passing craft. The number shall be two feet high, black on white background, three feet above the dock.

e. No commercial operations will be conducted on the docks and use of the docks will be subject to the provisions of Title 36, Chapter III, Part 327, Code of Federal Regulations.

7. Reservoir Operations.

a. Docks shall be located as close to water's edge as possible and positioned so as to interfere with the least amount of public water possible.

b. The dock shall in no way interfere with the normal operation of the Reservoir.

8. Inspections.

a. Any violation of the above rules shall lead to revocation of the permit.

b. Regular inspections shall be made by Department of Natural Resources and U.S. Army Corps of Engineers personnel to assure compliance.

9. Group Boat Dock Regulation.

The IDNR Group Boat Dock Regulation is attached (pages J-4 through J-6).

DEPARTMENT OF NATURAL RESOURCES

310 IAC 5-3

Rule 3. Group Boat Docks

310 IAC 5-3-1 "Group boat dock" defined

Sec. 1. As used in this rule, "group boat dock" means an artificial basin or enclosure for the reception of *watercraft which is owned and maintained by adjacent landowners for their **private** usage.*

310 IAC 5-3-2 Application of rule

Sec. 2. (a) This rule governs the placement of any group boat dock on Monroe Lake in Monroe County.

(b) No group boat dock may be placed on Monroe Lake except as provided under this rule.

310 IAC 5-3-3 Minimum requirements for participation in a group boat dock

Sec. 3. (a) To qualify for a group boat dock, one (1) of the following must be satisfied:

(1) *Each person who has a boat slip must own real estate adjoining federal project land.*

(2) Each person who has a boat slip must own a lot in an incorporated subdivision composed of contiguous lots where at least twenty-five percent (25%) of the lots adjoin project land. The person who owns one (1) of these lots is eligible for a slip in the group boat dock.

(3) Each person who has a boat slip must be a joint owner in property managed by a corporation where that corporation has managed the property continuously since December 31, 1968. This sub-division does not apply if the corporation becomes dissolved, merged, or transferred to another entity.

(b) *For a property to qualify under subsection (a), the property must have a size and shape which is adequate for cabin-type development adjoining federal project lands.*

310 IAC 5-3-4 Requirements for the installation and maintenance of a group boat dock

Sec. 4. A group boat dock must be installed and maintained as follows:

- (1) The person who holds a permit under this rule must be a corporation, association, partnership, or other group with at least six (6) separate parcels of land and landholders. An affidavit of land ownership must be filed for each member of the permit applicant or permit holder. A permit applicant must submit a copy of the articles of incorporation, bylaws, partnership agreement, or other similar document.
- (2) A surety bond and insurance must be maintained for the group boat dock in an amount determined by the Department of Natural Resources.
- (3) A permit for a group boat dock must be renewed annually with a service fee due upon renewal.
- (4) Dock construction must be approved by the department. A pontoon float boat is not a suitable construction.
- (5) Boat slips shall be located as close to the water's edge as practicable.
- (6) A dock shall be securely moored or anchored to prevent drifting during high wind, waves, and fluctuation of the pool elevation of Lake Monroe.
- (7) A group boat dock and any adjacent area shall be kept free from trash, garbage, floating debris, and other materials which may pose a hazard to safety or the environment.
- (8) The permit holder shall supply a responsible person to provide uninterrupted operation and surveillance of the group boat dock.
- (9) No sign shall be placed on the group boat dock or an adjacent area which indicates the site is private property.
- (10) A group boat dock shall display its permit number so that the number can be easily read from passing watercraft. The number shall be at least two (2) feet high, black on a white background, and three (3) feet above the deck of the dock.
- (11) Land access can be provided to a group boat dock only by a foot path consisting of rock, stone, or gravel. Approval for the foot path must also be obtained from the United States Army Corps of Engineers. Motorized vehicles are prohibited from using the foot path.

(12) The permit holder shall promptly notify the department in writing of a change in its membership or legal structure. The notification shall include a description of the land which is transferred and an affidavit of ownership for the new owner.

310 IAC 5-3-5 Locations where group boat docks may be placed

Sec. 5. The following identifies sites on Lake Monroe where group boat docks may be placed if those docks otherwise satisfy the requirements of this rule:

Dock Site	Max. # of Boats	Location
A-1	10	Wisely Farm (Strain Ridge Boat Club)
A-2	30	Cove West of Dam (Site 2 Association)
A-3	30	Three Finger Cove (Site 3 Association)
C-6	21	Hardin Ridge (Hardin-Monroe, Inc)
C-7	15	West of Mouth of Ramp Creek
D-8	15	Persimmon Ridge (Persimmon Ridge Corp)
D-9	12	Sugarcamp Hollow (Ramp Creek Dock Asc)
E-10	15	Boy Scout Bay (Boy Scouts of America)
I-14	10	IU Bay (IU Alumni Association)
J-15	50	Bay Northeast of the Causeway (Peninsula Development Corp)
K-17	40	Hooks Point (Salt Creek Services Inc)

310 IAC 5-3-6 Inspections and revocations

Sec. 6. (a) The department may perform, at any reasonable time, an inspection of a group boat dock and its records to determine whether the requirements of this rule are satisfied.

(b) If the department determines that the holder of a permit for a group boat dock has violated this rule:

(1) the deputy director for lands, forests, and wildlife resources may issue a complaint for the issuance of a notice of violation under IC 14-3-3-22;

(2) the director of the division of reservoir management may issue a complaint under IC 4-21.5-3-8 to revoke the permit; or

(3) the director of the department may authorize any other lawful enforcement action.

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