



**US Army Corps  
of Engineers®**  
Louisville District

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# **Shoreline Management Plan**

**Barren River Lake  
Nolin River Lake  
Rough River Lake**

**August 2005**

# Shoreline Management Plan

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# Shoreline Management Plan

## 1. Purpose and Scope.

a. **Purpose.** The purpose of this plan is to provide guidance and policy on management of the shoreline and to provide a balance of permitted uses while preserving and protecting the project's natural resources.

b. **Scope.** This plan is applicable to Barren River Lake, Nolin River Lake and Rough River Lake, Kentucky. Shoreline shall be construed as fee simple property owned by the U.S. Government and managed by the Corps of Engineers (described as "government property" in this document), whether or not it is covered by water. Property encumbered by a flowage easement is not considered under the provisions of this plan, but is subject to the restrictions stated in the easement documents.

2. **Policy.** It is the policy of the Chief of Engineers to protect and manage shorelines of all Civil Works water resource development projects under the Corps of Engineers jurisdiction in a manner which will promote the safe and healthful use of these shorelines by the public while maintaining environmental safeguards to ensure a quality resource for use by the public. The objectives of all management actions are to achieve a balance between permitted uses and resource protection for general public use.

## 3. References.

- a. Section 4, 1944 Flood Control Act, as amended (16 USC 460d).
- b. The Rivers and Harbors Act of 1894, as amended and supplemented (33 USC 1).
- c. National Environmental Policy Act of 1969 as amended.
- d. Section 10, Rivers and Harbors Act of 1899 (33 USC403).
- e. National Historic Preservation Act of 1966 (P.L. 89-665;80 Stat 915) as amended (16 USC 470 et seq).
- f. The Clean Water Act (33 U.S.C. 1344 et seq).
- g. The Water Resources Development Act of 1986 (P.L. 99-662).
- h. 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."
- i. Executive Order 12088 (13 Oct 78)

- j. 33 CFR 320-330, “Regulatory Programs of the Corps of Engineers.”
- k. ER 1130-2-540, “Environmental Stewardship Operations and Maintenance Policies” (including EP 1130-2-540 Guidance)
- l. ER 1130-2-550, “Recreation Operations and Maintenance Policies” (including EP 1130-2-550 Guidance)
- m. ER 1130-2-406, “Shoreline Management at Civil Works Projects.”
- n. EM 385-1-1, “Safety and Health Requirements Manual.”
- o. CEORDR 405-2-13, “Issuance of Minor Licenses and Permits at Water Resource Projects.”
- p. ORLR 1130-2-9, “Special Events Permits.”
- q. LEDR 1130-1-14, “Impoundment and Disposal of Abandoned Private Personal Property.”
- r. ER 1110-2-4401, “Clearances for Power and Communication Lines Over Reservoirs.”

4. **Objectives.** The objectives of the Shoreline Management Plan are:

- a. To promote the safe and healthful use of the shoreline for recreational purposes for the general public.
- b. To preserve and protect the lake’s natural resources and environmental quality.
- c. To manage use of public property in a manner that maintains a balance between development and the protection of the resource for general public use.
- d. To minimize the impact of authorized uses upon resources.
- e. To promote restoration of the shoreline where degradation has occurred.
- f. To manage the project shoreline to establish, enhance and maintain fish and wildlife habitat.
- g. To protect aesthetic quality and sustain natural conditions.

5. **Development of Shoreline Management Plan.** A Shoreline Management Plan is required for each Corps of Engineers’ project where shoreline use is allowed (paragraph 4.c of reference m.). The original Shoreline (Lakeshore) Management Plan was developed through a public participation process and put into effect in 1976. This plan allocated the

lakeshore for the entire lake into the various classifications or zones and outlined the authorized activities for each zone. Included were fee schedules for permits, specifications for community docks and vegetation alteration and other factors affecting shoreline use. In 2000, an updated plan was prepared and approved after completing the public review process and incorporating valid public concerns. Current guidance requires that Shoreline Management Plans be reviewed periodically by the District Commander, but no less often than every five years, to determine the need for an update. District Commanders may make minor revisions to the Shoreline Management Plan when the revisions are consistent with policy, and funds for a complete plan update are not available.

## 6. **Shoreline Allocation.**

a. **General.** Shoreline allocation (zoning) is the designation of government property into various classifications under which specific activities or uses are permitted for each classification. The allocations have been made to provide for management and protection of project resources for the benefit of the general public, while allowing a level of development to adjacent property owners. The entire shoreline has been allocated into the classifications outlined in paragraph b. below. A large map identifying the shoreline zoning is available for viewing at the project office. The classification assigned to the shoreline applies to the land and water. When different classifications exist on opposite sides of the lake or a cove, the respective zonings apply to the mid-point between the shorelines.

### b. **Types of Zoning.**

(1) **Prohibited Access.** Public access is not allowed in Prohibited Access areas for health, safety or security reasons. These areas generally include the dams, outlet structures, spillways, and operational areas adjacent to these structures. No other shoreline development is permitted in or near these areas.

(2) **Public Recreation Areas.** These are areas designated for concentrated use by the general public and include Corps of Engineers operated campgrounds and launching ramps, commercial concessionaire facilities, and recreation areas operated by other Federal, state or local agencies. No other shoreline development is permitted in or near these areas.

(3) **Protected Shoreline Areas.** These are areas where no new shoreline use permits for floating facilities, or new licenses for fixed recreational facilities are authorized. The areas have been so designated to maintain aesthetic features, maintain fish and wildlife habitat, protect specific resources, or for other environmental considerations. Other factors considered are the potential for erosion, excessive siltation, high wind and wave action and water depth. The only types of development allowed in these areas are minor vegetation alteration for a narrow meandering path to the shoreline; normal foot traffic for access, hunting or other purposes not involving alteration of the resource; and erosion control activities. Vegetation alteration for a path and erosion control activities are allowed only after the Park Manager has determined that no adverse environmental impact will result and a permit has been issued. No permission is required for entry upon Protected Shoreline Areas and no individual shall attempt to impede free access by the general public to government

property from the lakeside of the area.

(4) **Limited Development Areas.** Limited Development Areas (LDA) are shoreline areas where facilities may be authorized by a permit or license. The specific uses and activities that can be approved are shown in section 7. below. The impact of permitted uses was carefully evaluated before classifying an area as Limited Development. Most of these areas are adjacent to the developed subdivisions in existence during the initial zoning in 1976. The maximum density of floating and fixed recreation facilities in Limited Development Areas is established as 50%, in accordance with guidance provided in reference 3.m. Density of development is determined by comparing the total length of shoreline that is obstructed by docks and/or other facilities to the total length of the segment that is zoned as LDA. When an LDA segment reaches maximum density, no additional facilities or improvements will be allowed in that segment.

c. **Zoning and Other Plan Changes.** Zoning changes are considered a major change to the Shoreline Management Plan, requiring a formal revision or update, including public involvement. The plan must also be formally updated when it is determined that other substantial changes are needed. A moratorium may be placed on issuing new permits and licenses in areas considered for a zoning (or other) change, until the formal update can be completed.

## 7. **Permits and Licenses.**

### a. Shoreline Use Permits/Licenses in Limited Development Areas.

(1) **General.** Development not interfering with project operation may be authorized in Limited Development Areas with a permit or license. Permits and licenses may be issued only to adjacent property owners or property owners of a developed subdivision adjacent to government property who have legal right of access to the shoreline. The Park Manager may request documentation of the right of access. Should the right of access be revoked by the grantor or lost for any reason, the permittee will immediately remove the permitted facility from government property. Applications for all structures or actions requiring a permit or license shall be submitted to the Park Manager to schedule a joint inspection of the area. If the proposed action is not acceptable under the provisions of this plan, the request will be denied and documented in the-files. If the request is acceptable, the applicant will be given instructions to complete the request. The Park Manager will process the completed application and issue the permit, or forward the documents to the District Office. All fees associated with the request will be collected when the completed application is submitted (Appendix J). Although courtesy renewal reminders are mailed prior to expiration of the permit/license, renewal is the responsibility of the permittee/licensee at no cost to the government.

### (2) **Trespasses and Encroachments.**

(a) The existence or occurrence of any trespass items or activities, or temporary encroachments on government fee and easement land by an individual or organization precludes the granting of shoreline use permits and licenses. Therefore, any trespass items or activities, or encroachments of a temporary nature, must be resolved prior to

the granting of the permit or license.

(b) Any permit or license application from an individual or organization who has an existing permanent encroachments which has been referred to the Corps of Engineers Louisville District Real Estate Division will be processed only after the encroachment has been resolved.

(c) Trespasses (to include but not limited to tree cutting, vegetation alteration such as brush clearing, excavations, or other activities that cause damage and/or destruction to public lands) or failure to comply with requests to remove encroachments may result in termination of any or all permit(s) or license(s) that have been issued in accordance with the Shoreline Management Plan. The permit/license may not be eligible for reinstatement for a period of up to five years from the date that the trespass or encroachment is resolved. Future applications may be denied for a period of up to five years from the date that the trespass or encroachment is resolved. If shoreline zoning is changed within that five-year period to protected shoreline, a request for reinstatement of the permit/license will not be considered.

(d) Flowage easements acquired around the lake allow the Government to flood those lands and prohibit the construction of any structure, other than farm fences, without the prior written approval of the Government. Habitable structures are strictly prohibited on flowage easement lands. The restrictions on construction are necessary to prevent any actions that could interfere with the Government's right to use the properties for flood storage. Owners of property subject to these easements are encouraged to know the boundaries of the easements and the restrictions imposed on their use of the property. Violation of the easement restrictions creates an encroachment, and it is the landowner's responsibility to resolve any encroachment activity. Landowners are encouraged to consult the Park Manager before undertaking any land modification or construction activities in order to avoid an inadvertent encroachment.

### (3) **Permits/Licenses for Persons with Disabilities.**

Requests for special consideration for physical disabilities are discussed in detail in Appendix D. Universal access is normally available in public recreation areas, but the facilities noted in Appendix D may be allowed when medically justified.

(4) **Licenses.** In Limited Development Areas, licenses may be issued for the following facilities and subject to the following conditions:

(a) **Water Lines.** Existing licenses for water lines and/or water withdrawal for domestic use will be authorized for current and subsequent owners until a public water supply becomes available. No new licenses for water lines and/or water withdrawal will be issued. The withdrawal of water for irrigation is not permitted under the Shoreline Management Plan. The Corps may issue temporary water withdrawal agreements during periods of drought, but these agreements are not regulated in this shoreline management plan.

(b) **Improved Pathways, Footbridges, Stairways, and Steps.** Licenses may be issued in LDA, and in some cases on Protected Shoreline Areas at Rough

River Lake (reference Appendix K) for cart paths, stairways, steps, reinforced footpaths and footbridges Specifications and conditions are found in Appendices D and E.

(c) **Roadways, Turnarounds, Parking Areas and Ramps.** Boat ramps, with access roads, turnarounds and parking areas, may be constructed in LDA if there are no public ramps within a reasonable distance. Specifications and conditions are found in Appendix G.

(d) **Mobility Impaired Access.** In LDA, and in some cases on Protected Shoreline Areas at Rough River Lake (reference Appendix K) additional access improvements may be allowed for adjacent landowners with documented mobility impairments. Specifications, conditions, and qualifications are found in Appendix D.

(5) **Permits.** The following facilities or activities may be allowed under an approved permit:

(a) **Electrical Use.** Use of electricity may be approved for operation of boat lifts and convenience outlets if the service poses no safety hazard and does not conflict with other recreational uses of the project. The conditions and specifications for electrical use are contained in Appendix C.

(b) **Erosion Control Devices.** Where bank erosion is a problem, free permits for erosion control may be issued for the life or period of continual ownership of the structure by the permittee and his/her spouse. Erosion control structures may be authorized in Limited Development areas, or, in special situations, may be authorized in Protected Shoreline Areas.

(1) **Erosion Impact on Facilities.** Where bank erosion is a problem immediately adjacent to permitted structures or activities (such as docks, dock walkways, launch ramps, parking areas, paths, stairs, or vegetation alteration areas) the licensee or permittee may be required to place erosion control structures, products, or vegetation to prevent future erosion that may impact continued use of the facility. Structures that may be authorized include, but are not limited to: riprap, native stone, stone filled baskets (gabions), vegetative cover, or other methods, products, or systems approved by the Corps.

(c) **Group Boat Docks.** New group docks are only permitted in Limited Development Areas at approved locations. All docks are considered group docks, and additional slips may be added to accommodate future applicants. Group dock locations will be selected, according to the criteria in this plan, to best serve all members of that group or subdivision. The Park Manager may direct the relocation of a group dock to better serve the group. Specifications and conditions for group boat docks are found in Appendix H. The fee charged for group dock permits is found in Appendix J.

(d) **Vegetation Alteration.** A permit must be obtained for vegetation alteration in Limited Development areas to authorize mowing and removing underbrush, removing selected trees or burning or removing driftwood. The general policy will be to minimize the appearance of private use of government property. Detailed specifications are explained in Appendix I and fees are listed in Appendix J.

(e) **Unimproved Paths.** The Park Manager may issue a free path permit for limited vegetation removal to provide improved access to the shoreline. Paths will be designed to control rapid runoff of surface water and soil erosion, and will not be wider than 5 feet. The Park Manager may issue these permits in Limited Development or Protected Shoreline Areas to improve access to the shoreline. The requirements for unimproved paths are found in Appendix I.

(f) **Duck Blinds.** Duck blinds are regulated by the Kentucky Department of Fish and Wildlife hunting regulations.

b. **Fees.** Permit and license fees must be submitted with the application. The license fee is based on the fair market value and the administrative cost of processing and administering the license. License fees are reviewed annually and are subject to change as the market values and/or administrative costs change. Current license fees will be provided on request. Permit fees are established by Headquarters, U.S. Army Corps of Engineers and published as part of ER-1130-2-406. A change in the fee schedule does not constitute a major revision of the Shoreline Management Plan and will not require an update of the plan. Current permit fees are shown in Appendix J. Licenses and permits are not transferable and no refunds will be made if the grantee terminates the license or permit before the expiration date. A refund may be issued when the Government terminates a license or permit.

c. **Conditions of Licenses and Permits.**

(1) **General.** The conditions for licenses are found in the license instrument. The conditions for shoreline permits are found in Appendix L. The permittee agrees to abide by these conditions upon acceptance of a permit. The permit conditions are enforceable through Title 36, Chapter III, Part 327, Code of Federal Regulations. Violations of this regulation may be punishable by a fine of not more than \$5000 and/or imprisonment of not more than 6 months. A permit, license, or other formal document must authorize all facilities on government property. Unauthorized structures may be removed in accordance with the above regulation, and the violator may be cited into Federal Court. Anyone performing work authorized by a permit or license must be in possession of a copy of that permit/license while work is being performed. All construction on government property will be inspected to insure compliance with approved plans. When deviations from the approved plans are noted, all work will stop immediately until satisfactory measures are taken to insure that the provisions of this plan are met. Continued noncompliance may result in the license or permit being revoked and the owner removing the structure and restoring the area to its original condition. Structures which are not removed within 30 days after written notice is provided may be impounded and/or removed by the Corps of Engineers in accordance with reference q. The owner will be assessed the costs incurred by the Corps for any impoundment and/or removal. All new or reconstructed group docks will be inspected for compliance with submitted plans and specifications before being placed on the lake.

(2) **Appeal Rights.** The District Commander or his/her designee may revoke any permit when it is determined that the public interest requires such revocation or when the permittee fails to comply with the terms and conditions of the permit. The permittee will be notified by certified letter. The permittee will be allowed a 30-day period from the date of

notification to submit an appeal request in writing.

The Park Manager may deny a permit application or a request for exception. In either case the Park Manager will review the appeal request and forward for review by the Operations Manager for the Green River Area. The Operations Manager will make a decision and notify the applicant by certified letter.

If the applicant chooses to contest the decision of the Operations Manager a second appeal may be submitted within 15 days of notification to the Operations Manager for forwarding to the District Office for review.

Following the final District Office review, a written decision will be mailed to the person making the appeal by certified letter. The terms for revocation of a license are addressed in the license document, and are coordinated with the Real Estate Division.

(3) **Compliance Inspections.** The Park Manager will perform regular compliance inspections of all licensed or permitted facilities and activities. The Park Manager, or an authorized representative, will be allowed access through the permittee's or licensee's property to conduct these inspections. The instrument holder will correct non-compliance with the license or permit provisions.

(4) **Transfer of Licenses/Permits.** Permits and licenses are not transferable except as noted below. Upon the sale or other transfer of the permitted facility or the death of the permittee and his/her legal spouse, the permit or license is null and void. When the permit holder for a group dock having multiple members relinquishes his interest in the group dock, the permit will be reissued in the name of another member of the group dock without assessing an additional fee.

d. **Grandfathered Facilities.** Some existing permits and licenses have been exempted from the current requirements of the shoreline management plan to recognize commitments made in previous plans. Specific information can be found in the appropriate appendix for the affected structure.

e. **Miscellaneous Permits.**

(1) **Section 404 and Section 10 Permits.** Certain activities are regulated under the authority of Section 404 of the Water Pollution Control Act, Section 10, Rivers and Harbors Act of 1899 (33 USC403) or subject to the Endangered Species Act, the National Environmental Policy Act and the Fish and Wildlife Coordination Act. These activities can include dredging, the placement of riprap or fill material, construction of discharge lines, intake structures, seawalls and other fixed structures, and the discharge of dredged materials. Requests for these activities are reviewed by the Regulatory Branch of the Operations Division, and should be coordinated through the Park Manager.

(2) **Special Event Permits.** These permits are issued for activities such as boat regattas and races, music festivals, fireworks displays, motorcycle events, religious and social ceremonies (weddings, reunions, etc.), and other similar activities. A fee may be assessed for the permit and insurance may be required for certain activities. Use of the project lands and waters authorized by these special event permits cannot preempt public use of project recreational resources (i.e., the event cannot close a ramp to public use or prevent

navigation around a water based activity). Applicants for Special Event Permits must submit the standard application to the Park Manager (reference p.) 30 days prior to the event. Fees must be paid a minimum of 15 days prior to the event.

(3) **Special Act Permits.** Certain unusual activities or acts may be authorized on government property on a case-by-case basis. A letter outlining the nature and purpose of the request should be submitted to the Park Manager who may issue a letter permit if the activity is necessary and will cause no significant, adverse impact. Each request will be reviewed separately and the permit will outline all the conditions. Examples of this type of permit could include:

- Removing and/or burning a hazardous tree(s), driftwood, dead and down trees.
- Recovering a vehicle that inadvertently entered a protected area and cannot be removed without additional equipment,

All other requests not listed here will be submitted in writing to the Park Manager for consideration.

8. **Prohibited Items or Activities.** The following items or activities are prohibited on government property:

a. **Items:**

- 1) Flower, plant, or vegetable gardens.
- 2) Formal arrangements of hedges and shrubs, except that an approved hedge may be planted and maintained on the property line to meet the requirements of Paragraph 9.b. below. All plantings on government property shall be under Corps supervision. Members of the public may volunteer to plant Corps approved materials on government-property in areas approved by the Park Manager.
- 3) Swings, picnic tables, signs, patios, etc.
- 4) Boat houses.
- 5) Piers or jetties.
- 6) Marking buoys.
- 7) Buildings or any structure not covered by a permit, license or lease.
- 8) Sewage lines or related structures.
- 9) A well or spring development.
- 10) Fences (except farm fences on the property line). The adjacent land owner erecting the fence is responsible for determining the exact location of the property line, which may require a professional survey.
- 11) Anchor posts or devices such as fenders, bumpers, tires, logs, etc.

12) Garbage, debris or refuse dumps or garbage pickup points (unless covered by a license or lease).

13) Fuel tanks or other fuel storage containers.

14) Chairs, tables, umbrellas, and/or carpet may not be left on government property or on docks unless in use at the time. If not in use, they must be kept on boats, in an approved storage cabinet on the dock, or removed from government property. No permanent mounting of items of this type.

15) Diving boards, rope swings, (or similar devices).

16) Any other structures, items, or equipment on docks or land not specifically approved by permit or license.

17) Inflatable Items moored around docks or on government property (i.e., water trampolines, tubes, floating toys, floating platforms, floating diving platforms, other water toys not described here). Items must be placed on boats, in an approved storage cabinet on the dock, or removed from government property when not in immediate use.

**b. Activities:**

1) Painting or whitewashing of any tree trunk, boulder, rock outcrop, stump or other feature.

2) Alteration of the natural terrain by making cuts or fills, unless in conjunction with the construction of a licensed or permitted facility.

3) Ranging, grazing, watering or allowing livestock on project lands.

4) Brush clearing, tree cutting, or any type of vegetation removal (unless specifically authorized by permit or license).

**c. Environmental / Cultural Issues:**

1) Excavation or disturbance of an archaeological site, or the removal of an artifact.

2) Metal detector use and digging activities related to metal detector use is prohibited (without written permission from the District Engineer, or authorized representative) except as permitted in Title 36, Chapter III, Section 327 CFR.

3) Use of herbicides or pesticides for vegetative, animal, or insect control.

4) Use of soaps, solvents, cleaners, strippers, or mechanical processes (such as sanders, grinders, or power washers) that result in chemical, particle, or other materials/pollutants being deposited on government land or water.

5) Disturbance of any environmental feature, animal home, wildlife habitat, fishery habitat, or other environmental feature not described here.

9. **Boundary Identification.**

a. **Corps of Engineers Actions.** The boundary line between government property and adjacent private property has been surveyed and marked either by concrete monuments or survey pins and boundary markers. Corps personnel periodically inspect and maintain the boundary line. The approximate location is marked by painted trees or metal placards with decals immediately adjacent to the line on either side and typically within five feet of the line.

b. **Landowners Actions.**

1. It is the adjacent landowner's responsibility to determine the exact location of the boundary line prior to initiating any action that might result in a trespass or encroachment upon government property.

2. The holders of vegetation alteration permits are required to mark the property line as specified in Appendix I. Other adjacent landowners are encouraged to mark the line in a similar manner at no cost to the Government.

3. The placement of licensed / permitted facilities requires the precise location of common property lines. It is the applicant's responsibility to ensure that the licensed/permitted facilities do not encroach on adjacent private property.

4. Landowners adjacent to government property who are performing logging operations or removing trees or vegetation on private property, or having this work performed for them, must be certain as to the location of the common property line in order to ensure that government trees are not removed or damaged. In the event that trees are trimmed, cut, removed, or damaged on government property, the landowner may be cited to Federal court. Activities that cause damage and/or destruction to public lands may result in termination of any or all permit(s) or license(s) or denial of future applications. The permit/license may not be eligible for reinstatement for a period of up to five years from the date that the trespass or encroachment is resolved. Future applications may be denied for a period of up to five years from the date that the trespass or encroachment is resolved. If shoreline zoning is changed within that five-year period to protected shoreline, a request for reinstatement of the permit/license will not be considered.

10. **Fish and Wildlife.** The government-owned lands and water, with the exception of the operations areas and public recreation areas, are licensed to the State of Kentucky Department of Fish and Wildlife for management of fish and game. Unless posted otherwise, these areas are open to the public for fishing and hunting and are subject to state regulations governing these activities. Issuing a permit or license to an individual does not preclude use of the land or waters involved by the public for hunting and fishing activities. Vegetation alteration, which impacts fish or wildlife habitat, may require mitigation by the permittee.

**APPENDIX A**

**Shoreline Management Plan**

**Shoreline Management Map**

(Provided as separate document that may be obtained at the local Corps project office)

## APPENDIX B

### Shoreline Management Plan

#### Zoning Criteria

1. **Evaluation Factors.** In Limited Development Areas (LDA) facilities or activities may be authorized through permit or license. The Commander, Great Lakes and Ohio River Division has approved the zoning contained in this plan, with the stipulation that no future changes from Protected Shoreline Area to Limited Development Area would be permitted.

Exceptions to this policy will only be considered in instances where the government accepts a zoning trade from Protected to Limited Development that results in a net gain in Protected Shoreline footage in a location determined by the government to be of greater value relative to natural resource management. Areas currently zoned LDA will periodically be re-evaluated by the Park Manager based on the factors contained below.

a. **Availability of Access.** An evaluation will be made to determine the availability of access and mooring facilities in the area within a reasonable distance that have the capacity to serve the needs of the requestors. Zoning may be revised if sufficient access and mooring facilities exist in the area from commercial or public recreation areas.

b. **Population Served.** In the periodic review of lake zones, the concept of public access will be the primary consideration for management of the shoreline. Public access areas, available to all, are preferred over large areas of shoreline for limited development. This also allows the public a more unrestricted use of that public property from the waters edge to private property.

c. **Terrain.** Current LDA zoning may be evaluated for terrain characteristics that would be adversely impacted by increased utilization. Terrain modifications, such as cut and fill or the extensive use of steps, stairways and footbridges to permit safe access to the shoreline, or soil types and slope which could accelerate erosion, may require reconsideration of the area.

d. **Aesthetics.** Areas currently zoned LDA will be evaluated for any unique aesthetic values. Areas offering a highly scenic view or pristine areas may be considered for rezoning to the Protected Shoreline category.

e. **Exposure to Wind and Wave Action.** The shoreline in existing LDA will be evaluated for the effects of wind and wave action that may make the placement of docks infeasible. The potential for accelerated shoreline erosion from high wave energy in areas where vegetation would be removed may make it necessary to change the area's LDA classification.

f. **Water Depth and Configuration of Lake Bottom.** The water depth and the configuration of the lake bottom must be suitable for the installation of docks. Water depth must be sufficient to allow at least a four-foot depth at the seaward edge of the dock without

using unusually long walkways or standoffs. The bottom configuration must be such that a dock could rest on the lake bottom at its designated site without damage from large rocks or twisting when the lake is lowered from summer pool.

**2. Review of Existing Zoning.** The Park Manager, based on the factors in Paragraph 1 above, may recommend that segments of shoreline be changed from LDA to Protected Shoreline or other classification, and such recommendations will be considered in the next update of the Shoreline Management Plan. When the Park Manager has determined that a change is needed, a moratorium will be put into effect on new permits and licenses in the affected area until the public participation process is completed. Existing, permitted facilities and activities in these areas may be grandfathered. Specific information can be found in the appendix for the facilities or activities.

## APPENDIX C

### Shoreline Management Plan

#### Use of Electricity on Government Property

***Please note: The information and specifications contained in sections one through three of this appendix apply only to existing electrical service authorized under a license.***

1. **Electric Service.** The continued upkeep of existing electrical service to authorized facilities on fee land is granted under the provisions of a license issued by the Real Estate Division. The service shall pose no safety hazard to any individual nor interfere with any aspect of project operations. Existing service to group docks will be by drop cord only, and cords will be removed when not in immediate use. All electrical service is subject to the conditions in paragraph 2., below. New requests for use of electricity on government property will be accomplished only in accordance with the provisions beginning in section four of this appendix.

2. **Conditions.** The following conditions apply to all electrical service on government property that serves authorized facilities:

a. **Electric Codes.** All electrical service must conform to the National Electrical Code, the National Electrical Safety Code and all other applicable state and local codes and regulations.

b. **Inspection.** All electrical service must be inspected and approved by a State of Kentucky certified inspector. Proof of compliance shall be provided to the Park Manager every five (5) years, with the next certification due five (5) years from the date of the last renewal of the license and before the license is renewed.

c. **Ground Fault Interrupters.** All electrical circuits that extend onto government property must have a properly operating ground fault interrupter (GFI) installed above the maximum flood pool elevation. Failure to provide or maintain the GFI in proper working condition may result in revocation of the license. The GFI shall be maintained on a post or on the exterior of a building in plain view where it is readily accessible, and shall be approximately 5 feet above the ground. Licensees are required to turn off the power at the GFI's and lock-out access when not in use.

d. **Wire.** All permanently installed electrical wiring extending onto government property shall be buried to the depth required by the referenced codes, except that the option of encasement in concrete is not allowed. The location of the cable or conduit shall be marked with warning tape buried at a depth of 9 - 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 non-metallic conduit. Other wiring suitable for wet or submerged locations may also be appropriate.

e. **Conduit and Boxes.** All above ground wiring shall be maintained in an approved electrical conduit. All enclosures such as breaker boxes, switch boxes, and receptacles shall be rain-tight and weather resistant, and shall be maintained on a securely mounted treated wooden post or pole a minimum of 5 feet above the ground. Enclosures and connections designed for wet or submerged locations may also be appropriate.

f. **Security Lights.** Existing security lights shall be maintained on treated wooden posts or poles not less than 12 feet above the base of the pole. The height of the light bulb shall not be lower than the calculated five-year flood pool. Lights or wiring to lights shall not be installed on trees. New requests for the addition of security lights to existing electrical service, or any other type of lighting, on government property, or on a permitted or licensed facility under this Shoreline Management Plan, will be closely reviewed on a case-by-case basis.

g. **Convenience Outlets.** Convenience outlets will be allowed to be maintained adjacent to group docks under the provisions of an existing Real Estate license. Temporary drop cords extending onto government land, used in conjunction with an existing license for electrical service are subject to these same conditions, and must have prior Corps approval. Drop cords not in use will immediately be disconnected and removed from government land. New requests for the addition of convenience outlets to existing electrical service will not be authorized.

3. **Existing Facilities.** All existing electrical service extending onto government property shall meet the requirements noted in Paragraph(s) 2.a. – 2.g. of this appendix. Existing aerial service will be allowed to remain for the lifetime of the licensee or his/her spouse provided all other conditions are met. Upon change of ownership, the licensee must remove all aerial lines. 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 certification is accomplished as detailed in Section 2.(b) above.. Corps of Engineers personnel will periodically inspect to assure that facilities are properly maintained in compliance with these conditions. Existing electrical service will be allowed to remain for the lifetime of the licensee or his/her spouse provided all other conditions are met. Upon change of ownership, the licensee must remove all electrical service from government property.

4. **New Requests for Use of Electricity.** New requests for use of electricity on government property, solely on group boat docks, may be granted under the provisions of a shoreline use permit issued by the local project office. Use of electricity may be authorized for operation of boat lifts and/or to provide duplex convenience outlets on a group boat dock. The service shall pose no safety hazard to any individual nor interfere with any aspect of project operations. Due to the wide fluctuation of pool levels, safety issues and the impact of the installation of new electric service on the project natural resources, no new permanently installed electrical service is permitted on or adjacent to any floating facility or government property except commercial concession marinas. All authorized use of electricity on government property will be subject to the conditions in paragraph 5. and 6., below.

**5. Requests for Use of Electrical Generating Equipment.** New requests for electrical generating equipment on government property may be authorized only under a shoreline use permit issued by the local project office.

a. Electrical Generating Equipment. Applicable types of electrical generating equipment include power inverters, solar service and generators.

b. Solar Power. Due to continuous changes in design standards, the minimum design standards for solar power may be obtained from the local project office.

c. Storage of Electrical Generating Equipment. All electrical generating equipment (i.e., batteries, inverter, boat lift controls, etc.) must be stored in a storage locker on a group boat dock. The size of the storage locker shall be a maximum of five feet long by two feet wide and three feet tall. Lockers must be positioned with the maximum dimension horizontally on the main dock and shall not extend over the water. Wooden lockers shall not be painted but clear preservatives or sealers may be used. Commercially manufactured lockers will be erosion resistant. No bright colors, stainless steel, or chrome will be allowed. Lockers will be properly vented to allow release of fumes.

**6. Conditions.** The following conditions shall apply to electrical use on government property that serves permitted facilities:

a. Electric Codes. All electrical service must conform to the National Electric Code, the National Electrical Safety Code and all other applicable state and local codes and regulations.

b. Inspection of Electrical Equipment. Inverters, solar power used in conjunction with an inverter and generators do not require inspection as long as this equipment is installed and used in accordance with the manufacturer's recommendation for wet locations.

c. Ground Fault Interrupters.

1. All electrical generating equipment authorized under this appendix must have a properly operating ground fault interrupter (GFI) that is permanently installed by the factory on the piece of equipment.

2. Failure to provide or maintain the GFI in proper working condition may result in revocation of the permit. Permittees are required to turn off the power at the GFI and lock-out access when not in use.

d. Conduit and Boxes. All switch boxes and receptacles shall be rain tight and weather resistant. Enclosures and connections designed for wet or submerged locations shall be used.

e. Lighting. In an effort to maintain the aesthetics of the natural resources, requests for security lighting, or any other type of lighting, on government property, or on a permitted or licensed facility under this Shoreline Management Plan, will be closely reviewed on a case-by-case basis.

f. Convenience Outlets. Requests for new convenience outlets may be granted on group docks only in association with electrical generating equipment authorized under this appendix.

## APPENDIX D

### Shoreline Management Plan

#### Special Access Provisions For Mobility Impairments

1. **General.** Access improvements to permitted boat dock facilities may be granted to adjacent landowners in Limited Development Areas and in Protected Shoreline Areas at Rough River Lake in accordance with Appendix K, to accommodate permanent mobility impairments through a license from the Real Estate Division. Applicants must submit an application with appropriate documentation of the impairment affecting them or a member of their household. Following a site inspection the Park Manager will forward the applications to the Real Estate Division. This appendix supplements development allowed in other appendices of this plan, and all conditions not specifically excepted apply to this section.

2. **Footpaths.** If the impairment limits mobility over unconsolidated materials (reference Appendix E), the path surface may be constructed of approved materials suitable for wheelchair access.

3. **Cart Paths.**

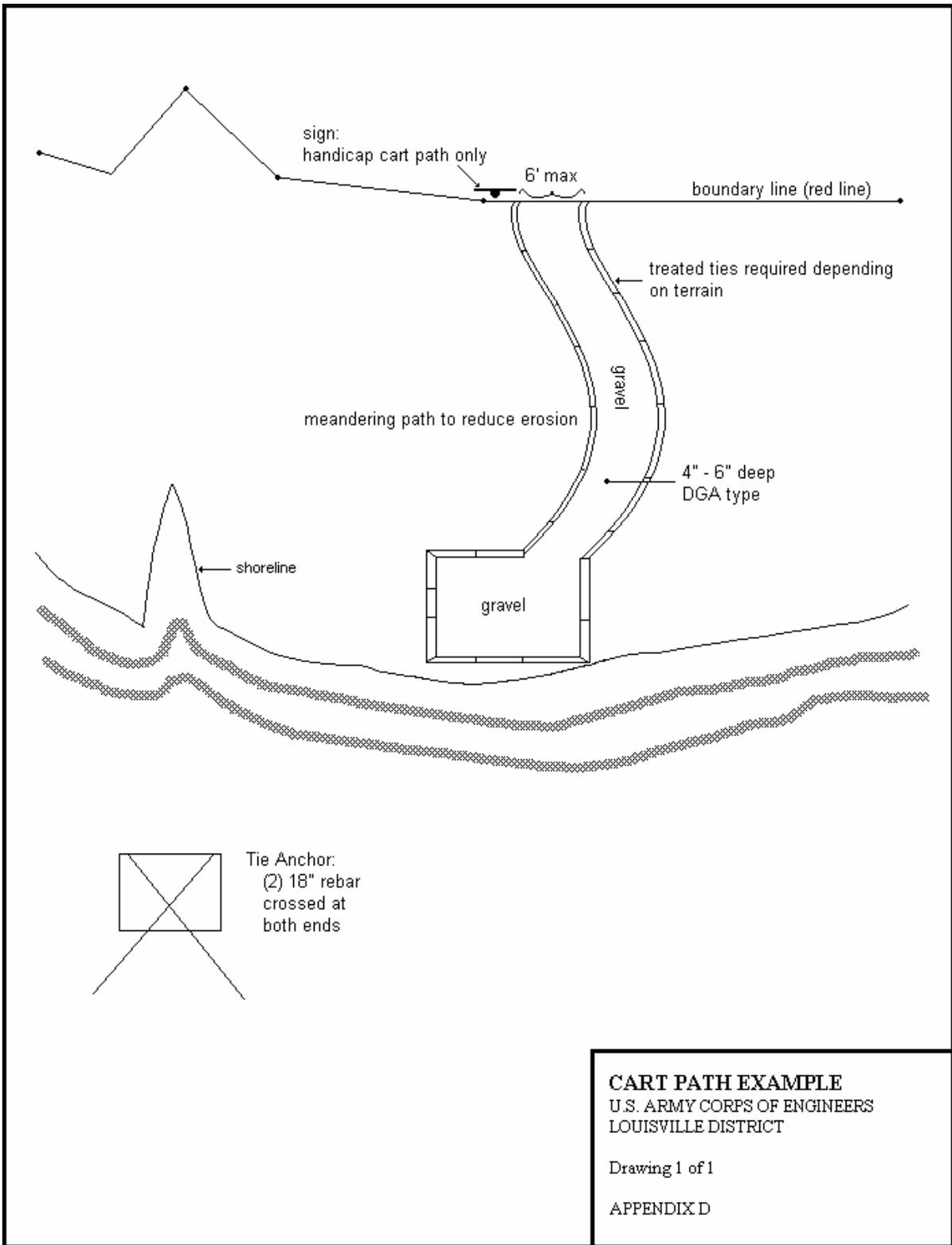
a. **Authorized Use.** Authorized conveyances may be used to transport the individual with the documented mobility impairment and for activities directly associated with that individual's use of permitted or licensed facilities. Only golf carts, riding lawnmowers and similar low speed conveyances may be used. Authorized conveyances must display a sticker issued by the Corps of Engineers. All terrain vehicles, motorcycles, and/or vehicles licensed for highway use are prohibited. Since the tremendous variety of available conveyances cannot be listed here, permission to use conveyances other than golf carts and riding mowers must be obtained from the Park Manager.

It is the Government's intent to limit the number of cart paths to the greatest extent possible to minimize the impacts on natural resources. In areas where more than one adjacent property owner has a documented need for a cart path, joint use of a path will be required to the greatest extent possible. Licensees can not restrict use of that portion of a licensed facility located on government property.

Operation is allowed only on the approved path, and violators may be cited to Federal court. Licenses for cart paths may be revoked if they are not used in accordance with these provisions. Revoked licenses will not be eligible for reinstatement for a period of up to five years.

b. **Design.** The surface, layout, and construction will minimize erosion and comply with the plans approved in the license. Cut and fill will not exceed 12 inches unless small culverts are approved for crossing ditches. If timber borders are used, they must be secured to prevent floating. A small turnaround may be constructed at the end of the path. The maximum length of the cart path is 500 feet, or to the nearest dock location, whichever

distance is shorter. Extensions in length may be considered on a case by case basis, provided there is a minimal change to the limits to allow reasonable access to an authorized community dock and no other provisions or requirements of the plan are violated.



## APPENDIX E

### Shoreline Management Plan

#### Improved Footpaths, Footbridges, Stairways and Steps

1. **General.** Improved footpaths, footbridges, stairways and steps may be authorized to permitted boat dock facilities in Limited Development Areas and in Protected Shoreline Areas at Rough River Lake in accordance with Appendix K, through the issuance of a license. The structures will be approved only where necessary to provide access to the shoreline, 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. Combined length of pathways, stairways, landings and steps may not exceed 500 feet. Extensions in length may be considered on a case by case basis, provided there is a minimal change to the limits to allow reasonable access to an authorized community dock and no other provisions or requirements of the plan are violated. Each qualifying lot owner/ household will be limited to one license for improving shoreline access at each lake.

[Note: A limited number of group docks remain in areas rezoned from Limited Development to Protected Shoreline at Rough River Lake. See Appendix K for access improvements to these facilities.]

#### 2. Specifications of Stairways and Steps.

a. **Materials.** Building material shall be structural lumber, cross ties or similar material that can be removed if required. Metal staircases, massively placed concrete, or mortared block, brick or stone will not be authorized. All wooden 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 buoyant material shall be firmly anchored in place. Trees shall not be used as anchors, nor shall handrails be attached to trees.

c. **Painting.** New steps and stairways will not be painted. A clear sealer 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 of Stairways and Steps.** Drawings 1, 2, and 3 in this appendix contain examples of stairway features which can be used for developing site specific plans to be submitted with the license application. When steps have been authorized, they should be angled or designed in an offset configuration to blend with the terrain and minimize erosion damage. The overall length of steps is to be minimized, and shall not exceed 100 feet. Extensions in length may be considered as noted in Paragraph 1. Steps are to be built as close to the

ground as possible; in general, height of landings will not exceed 18 inches above ground level. Construction of stairways and steps must comply with all applicable building codes.

**4. Improved Footpaths.** Improved footpaths shall not exceed five feet in width and 500 feet in length (exceptions may be considered as noted in Paragraph 1), and may be covered with creek gravel, crushed stone, tan bark, wood chips, stepping stones or other readily removable material. Asphalt, concrete, or other permanent surfacing will not be used. At the licensee's option, pre-treated lumber or naturally-colored composite lumber may be used to edge the path and confine the covering material, although the timbers must be securely anchored to prevent floating. No significant alteration (over 6 inch cut and fill) will be permitted for a footpath. The slope of the path should be held to a minimum through the use of zigzagged layout to reduce erosion damage.

Pre-treated 4" x 4" timbers (minimum), cast paving blocks, naturally-colored composite lumber, or natural stones should be used as steps where possible in lieu of a staircase. Use of these alternative materials in place of a staircase is encouraged in order to minimize the environmental and visual impact of the licensed facility.

**5. Footbridges.** Footbridges may be authorized 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 as any part of the structure. Footbridges will not exceed 14 feet in length. Extensions in length may be considered as noted in Paragraph 1.

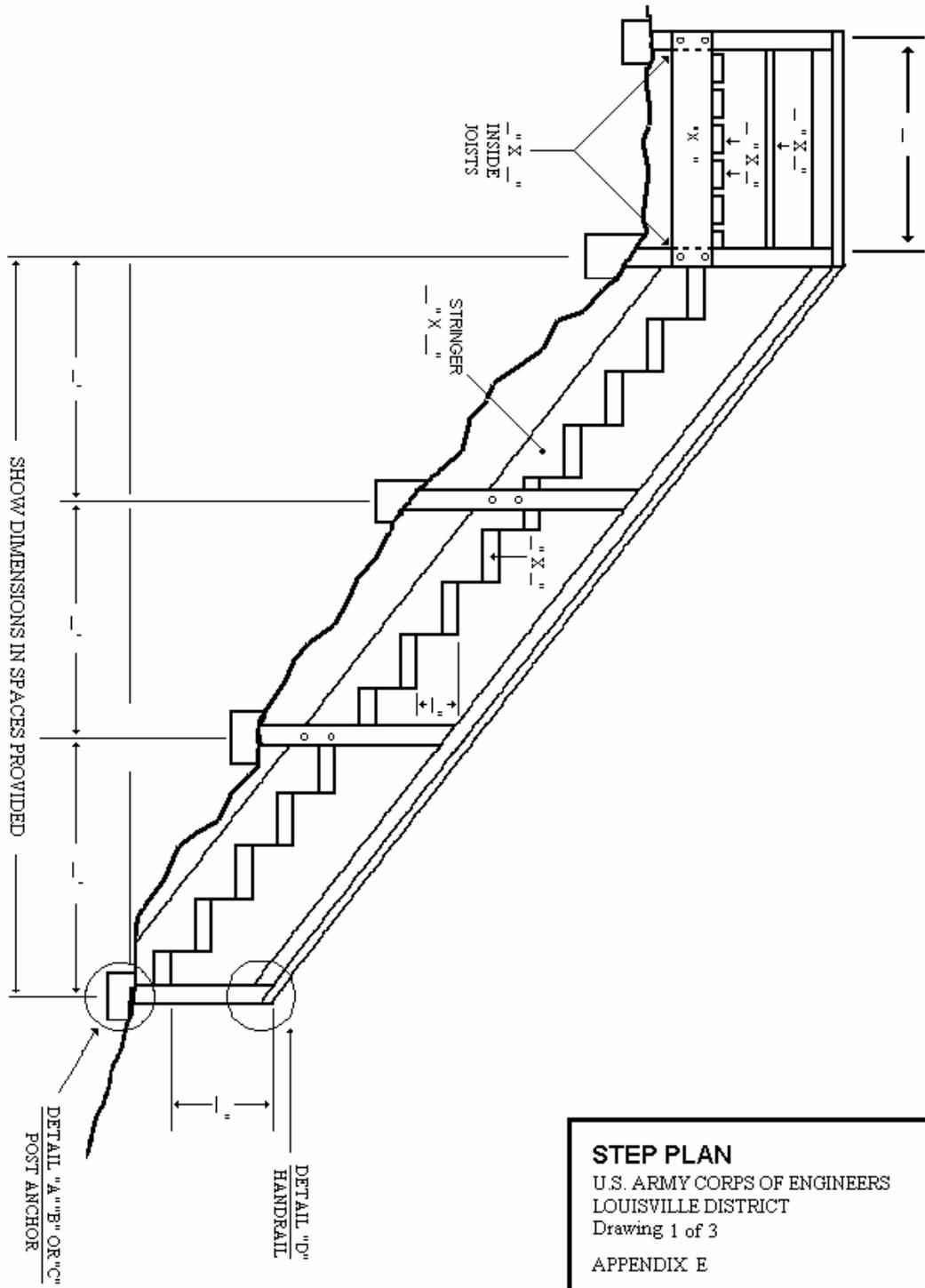
**6. Grandfathered Structures.** Existing or previously approved facilities that do not meet the guidelines in this plan will be grandfathered to current and future owners as long as they are properly maintained. Should the licensee fail to properly maintain the structure, the structure will be replaced with an approved structure meeting current standards and complying with current policy, or the structure will be removed and the area restored in accordance with the conditions in the license.

It is the Government's intent to limit the number of pathways to the greatest extent possible to minimize the impacts on natural resources. In areas where more than one adjacent property owner has applied for a pathway license, joint use of a new or existing pathway will be required to the greatest extent possible. Licensees can not restrict use of that portion of a licensed facility located on government property.

## Guidelines for Design of Staircases

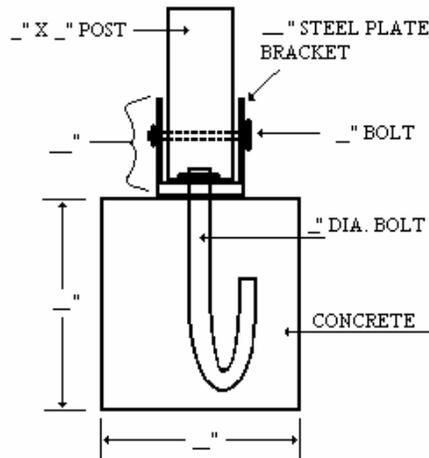
### 1. Dimensions or Material Specifications.

- a. Stringers for Steps. 2" x 12"
- b. Step Treads. 2" x 12", two 2" x 6", or three 2" x 4"
- c. Landing Platform. No greater than 4' x 6' with 2" x 10" joists and 2" x 6" decking or greater. Cross support joists to be on 2' centers. Landings should not be greater than 18 inches in height, in general, as measured from ground level to be base of the landing.
- d. Columns/Post for Support and Handrails.
  - 4" x 4" if under 12' in length
  - 6" x 6" (or 6" - 8" pole) if over 12' in length
- e. Handrails. 42" high above stair treads/decking with 2" x 4" railing if posts are no greater than 6' apart. Greater spacing of posts requires 2" x 6" railing with 2" x 4" supplemental railing attached under the 2" x 6" at top of post.
- f. Guardrails. 2" x 4" or greater guardrail 20" above steps/decking.
- g. Hardware. Fasteners and fittings acceptable for use with pressure-treated lumber shall be used.
- h. Concrete Anchors. Secure anchors are required for all columns/posts; however, anchors shall be kept flush with ground level and sizes shall be held to a minimum. Posts may be secured either by a 1/4" steel bracket or by placement directly into the concrete.
- i. Width. Staircases may be 3' to 4' in width. Staircases exceeding 3 feet in width require additional bracing or a center stringer.

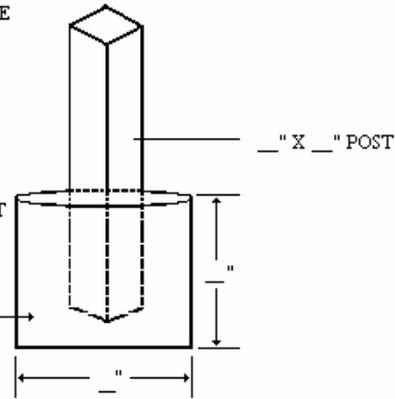


**STEP PLAN**  
 U.S. ARMY CORPS OF ENGINEERS  
 LOUISVILLE DISTRICT  
 Drawing 1 of 3  
 APPENDIX E  
 Scale: None

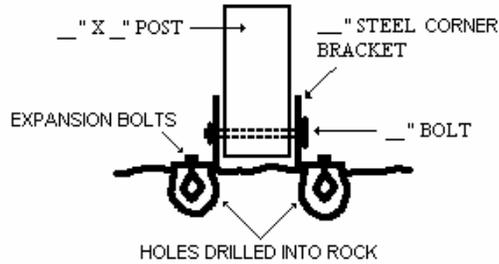
DETAIL "A"  
POST ANCHOR



DETAIL "B"  
POST ANCHOR

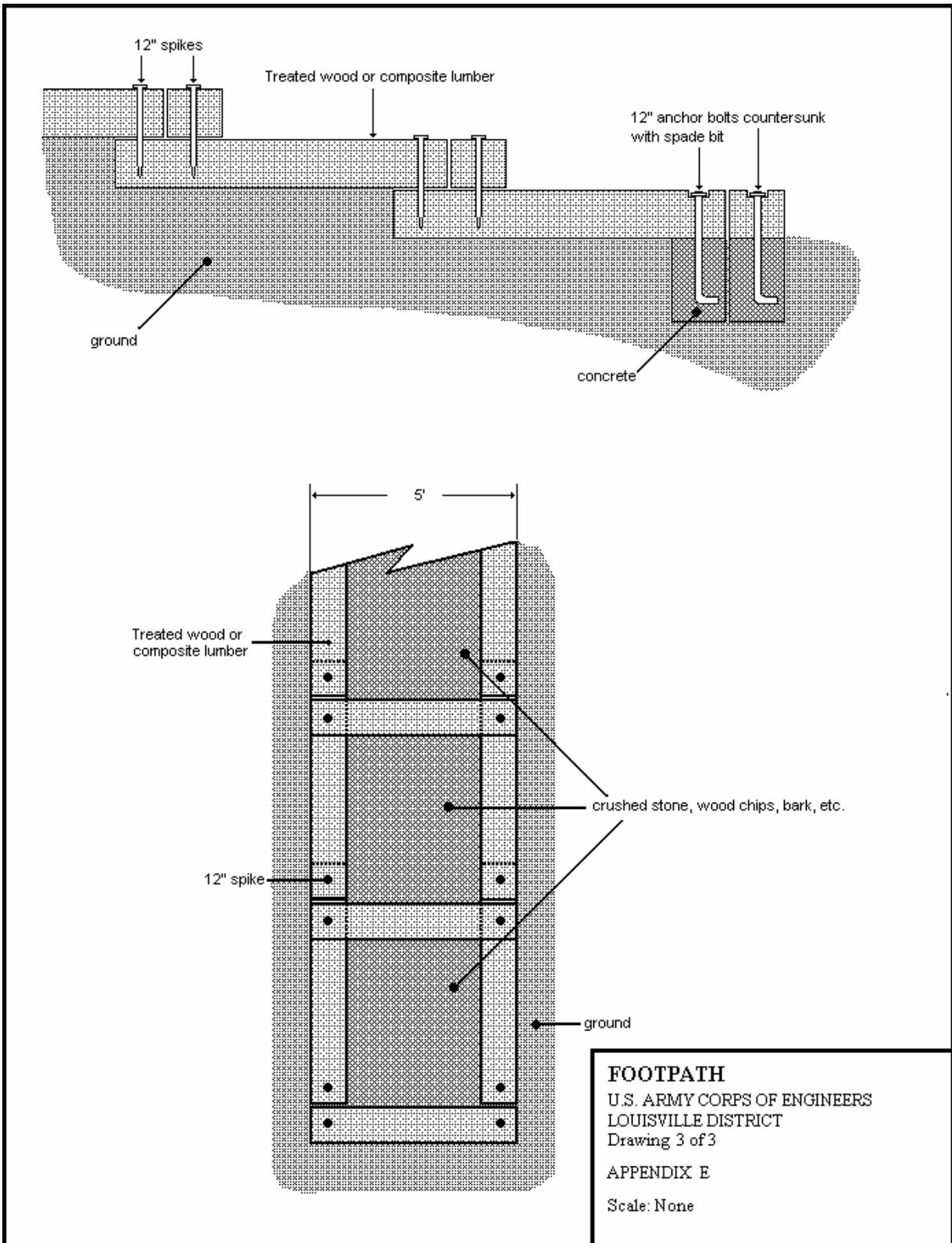


DETAIL "C"  
POST ANCHOR



\*SHOW DIMENSIONS IN SPACES PROVIDED

**ANCHORING EXAMPLE**  
U.S. ARMY CORPS OF ENGINEERS  
LOUISVILLE DISTRICT  
Drawing 2 of 3  
APPENDIX E  
Scale: None



## APPENDIX F

### Shoreline Management Plan

#### Erosion Control Devices

- 1. General.** Permits may be issued for erosion control where wave and wake action is damaging the shoreline. This activity is subject to the provisions of Section 404 of the Clean Water Act when fill material or stone protection will be placed below summer pool elevation. Due to the mutual benefit derived from this activity, no fee will be charged for shoreline erosion protection permits.
- 2. Specifications.** Banks may be stabilized by placing riprap or stone filled wire baskets (gabions) immediately above and below the summer pool elevation. No massively constructed structures will be allowed, i.e. masonry units, poured concrete or retaining walls built from timbers or stone. The quantity of riprap shall not exceed one cubic yard per running foot of shoreline below summer pool elevation. The stone shall not normally extend more than five feet vertically above or below summer pool elevation. The length of the protection along the shoreline may be the lesser of 200 feet or the adjoining lot width. Quantities and distances exceeding these specifications involve the Section 404 permit process and will be handled independently of the Shoreline Management Plan. The Park Manager may approve collecting small amounts of stone from the lake bottom between winter pool and summer pool. Purchased stone shall be Class II channel liner in accordance with Kentucky Department of Transportation Highway Specifications. Vegetation or plantings, such as willow bundles, may be approved for erosion control.
- 3. Erosion Impact on Facilities.** Where bank erosion is a problem immediately adjacent to permitted or licensed structures, or activities (such as docks, dock walkways, launch ramps, parking areas, paths, stairs, or vegetation alteration areas), the licensee or permittee may be required to place erosion control structures, products, or vegetation to prevent future erosion that may impact continued use of the facility.

## APPENDIX G

### Shoreline Management Plan

#### Roadways, Turnarounds, Parking Areas and Ramps

1. **General.** Boat ramps may be allowed in Limited Development Areas under the provisions of a license if there are no public access ramps within a reasonable driving distance. Roadways, turnarounds and parking areas may be allowed in conjunction with boat ramps

2. **Eligibility.** The licensee must own land adjacent to a Limited Development Area. Access may not be restricted to launching ramps served by a public road. Owners of facilities on government property will not restrict free use of the area by the general public. Failure to meet these conditions may result in the revocation of the license. Licenses will not be issued where significant alteration of the land form (cut and fill over 18 inches) is necessary to construct the facility.

#### 3. Design Standards.

##### a. Ramps.

(1) Ramps shall have six inches of 3000-psi concrete over a minimum of four inches of crushed limestone.

(2) Ramp will extend a minimum of five feet vertically above and five feet vertically below summer pool.

(3) Slope of the ramp must be not less than 12% or more than 15%, and must be uniform for the entire length.

(4) Minimum width of the ramp will be 12 feet.

(5) Concrete slab and end sections will be reinforced as shown in the sketch on page 4 of this appendix. Size and quantity of steel are as follows:

(a) Fourteen #3 bars - three feet long

(b) Two #6 bars - 12 feet long

(c) 6 x 6 – W1.4 x W1.4 welded wire fabric that is 12+ feet wide and the length of the slab.

(6) Construction and expansion joints shall be installed as shown in the sketch.

(7) Surface of the ramp shall have a broom finish with a rough surface to increase the traction of the launching vehicle.

(8) Edges and seaward end of the ramp will be protected with Class II channel liner to prevent undermining of the slab. Stone shall be placed a minimum of two feet wide around the perimeter of the ramp and to a minimum of six inches deep. Unsafe conditions, such as undermining of the concrete, may result in termination of the license.

**b. Roads.**

(1) Roadways will be surfaced with crushed stone or creek gravel. No asphalt or concrete will be used. Existing roadways constructed of concrete materials may remain through their useful life, but cannot be resurfaced.

(2) 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.

(3) 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.

**c. Parking Lots and Turnarounds.**

(1) Surface of parking lots and turnarounds will be crushed stone or creek gravel.

(2) Turnarounds shall have a minimum radius of 40 feet measured from the centerline of the ramp road.

(3) Ramp parking lots shall be of sufficient width to accommodate a vehicle and a boat trailer without interference with the launching of a boat or the use of the turnaround.

**4. Special Considerations.**

**a. Commercial Activities.** No commercial operations will be conducted at any of the licensed facilities covered under this appendix. No launch fees or use fees will be collected unless the District Commander gives specific authorization.

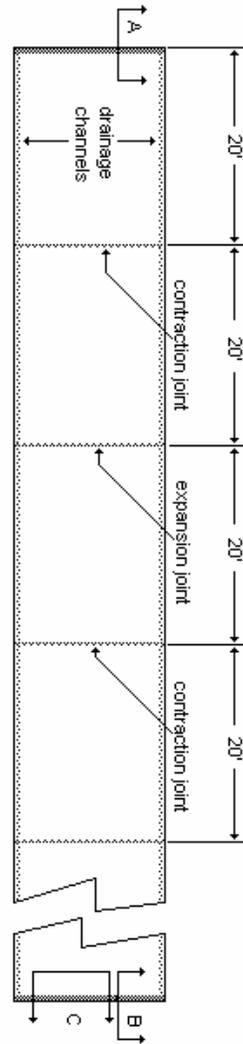
**b. Vegetation Alteration.** A shoreline use permit may be issued to the licensee of a boat ramp and/or turnaround, and/or parking area along with any associated road on government property to trim vegetation in this area. The mowing area shall be a ten foot maximum strip (ten feet on each side of road, etc.) along the edges of these areas.

Vegetation alteration includes removing selected trees, underbrush, or driftwood, trimming, pruning, and mowing. Prior to the removal of any vegetation, the permittee shall meet with a Corps Ranger who will outline the limits of the permit area and designate certain

trees or stems that must be left in the permit area. The Ranger will attempt to leave a minimum of one tree or viable stem for each ten feet square (100 square feet). Clear cutting will not be allowed. Trees larger than 3" at ground level will not be cut unless dead, diseased, or damaged and approved for cutting. Existing boat ramp licensees shall contact the local Corps office to obtain this permit before any mowing is conducted along existing facilities. The fee for this permit is in addition to that charged for the license.

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

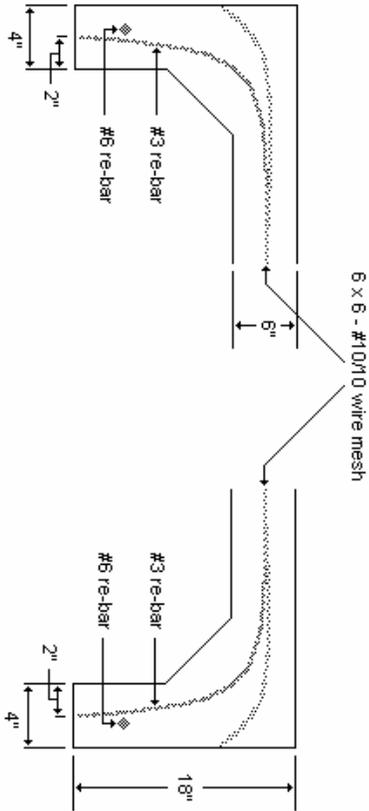
d. **Signs.** Licensee shall provide and maintain such signs as the Corps of Engineers deems necessary to provide for public safety on ramps and roadways leading to the water.



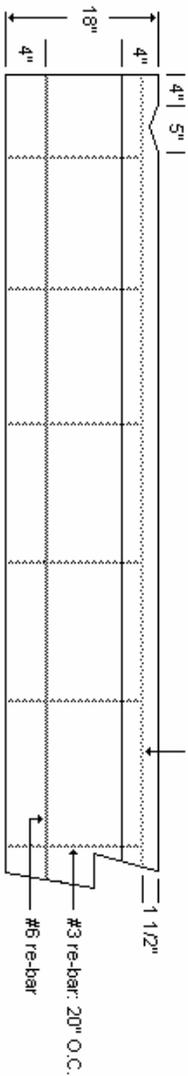
**PLAN OF JOINTS AND DRAINAGE CHANNELS**

SECTION A  
(head of ramp - side view)

SECTION B  
(toe of ramp - side view)



SECTION C  
(head and toe of ramp - end view)



**DETAILS:**

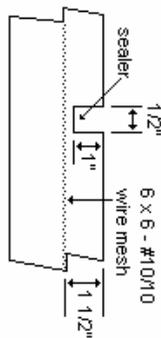
**RAMP SPECIFICATIONS**  
U.S. ARMY CORPS OF ENGINEERS  
LOUISVILLE DISTRICT

Drawing 1 of 1  
APPENDIX G

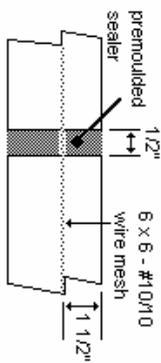
1 OTIMUM GRADE: 12 - 15%

2 MINIMUM RAMP WIDTH: 12'

3 TYPICAL CONTRACTION JOINT



4 TYPICAL EXPANSION JOINT



5 RIP-RAPPING AT HEAD AND TOE IS REQUIRED WITH CLASS 2 CHANNEL LINER.

6 RE-SEEDING OF AREAS TORN UP BY CONSTRUCTION IS ALSO REQUIRED.

## APPENDIX H

### Shoreline Management Plan

#### Group Boat Docks

##### 1. General.

a. New group boat docks are permitted only in Limited Development Areas at approved locations. All docks are considered group docks, regardless of the number of members, in that additional slips may be added to accommodate future applicants. The Park Manager will determine the location of all group docks according to the criteria in the Shoreline Management Plan and to best serve the needs of the entire group or subdivision. All group docks located in easement areas are subject to the same criteria as that specified for LDA.

b. Group boat docks are individual, privately owned slips that are joined together. A boat slip is one main dock section and one finger section in an "L" configuration, and includes the water area it defines. The main dock section will be parallel to the shoreline with the finger section attached to and perpendicular to the main dock section. The Park Manager may give approval to add individual boat slips up to a maximum of twelve (12). Group docks must be maintained in a usable and safe condition, create no threat to life or property, and be in substantial compliance with the existing permit.

c. A maximum of one boat slip per property unit or household will be authorized at each lake. Joint ownership of a property or the ownership of more than one lot by one household does not authorize more than one slip. Each slip can accommodate one boat or two personal watercraft. An additional Jon boat, canoe or personal watercraft can be stored on a finger section (out of the water). Joint property owners may register additional vessels to a slip, however no more vessels than indicated above may be moored at any one time. In the case of joint property owners, one owner will be designated as the contact person for that slip.

d. It is required that each group dock have one Point of Contact (POC) appointed at all times. The POC will serve as the primary point of contact to receive and distribute information to all dock members related to such matters as permit renewal documents and safety and structural inspection reports requiring corrective action. The POC will keep the local Corps project office updated on changes in ownership of property associated with boat docks, unsafe conditions, and other related matters. The local Corps project office will attempt to keep the POC informed of dock actions either by the Corps or dock owners such as requests to add on to the dock. Whenever there is a change in the POC, a representative of the members on the affected group dock will inform the local Corps project office in writing. Only members of the group boat dock may serve as a POC.

2. **Eligibility.** Applicants must own property in a developed subdivision which is adjacent to government property that is zoned Limited Development or own a tract of land which

adjoins government property and is zoned Limited Development. All applicants must own a boat and/or personal watercraft. The landowner will be required to provide proof of ownership of property and registered vessels to be moored. Ownership of a registered vessel is a requirement for applying for a community dock slip. Owners of interior lots are not adjacent to government property, and must have legal right of access either through a public access area or through private property. If access is across private property the applicant must provide a notarized letter of permission from the landowner with his application. When the landowner who granted permission sells his property, each affected dock member must obtain a new letter of permission. Should a boat slip owner lose right of access he/she will remove the slips from government property.

### **3. Purchase of Existing Slips.**

a. Permits are non-transferable. New property owners must immediately apply for a new permit or the previous owner must remove the slip. A permit may not be issued until current policy requirements and specifications are met. Once the new owner meets the eligibility requirements, they may apply for that boat slip. The Park Manager may issue a permit, but require relocation of the group dock to better serve the needs of the group or subdivision.

b. When a new owner purchases a previously permitted slip, it will be inspected for compliance with the current Shoreline Management Plan standards and specifications. If it complies, a new permit will be issued. If it does not comply, the main dock and finger sections may be upgraded to meet current specifications or the old sections replaced with a new main dock and/or finger section(s).

c. If structural modifications are required to upgrade, a new facility must be built to replace the old one. Structural modifications would be replacing anything more than the decking and flotation materials.

d. If a permittee fails to comply with the permit terms, it may be revoked and the holder required to remove the structure, subject to conditions of permit.

### **4. Grandfathered Facilities.**

a. A grandfathered facility is a permitted slip and/or appurtenant structure that does not meet the current standards, configurations, specifications, etc. outlined in this plan. A grandfathered facility will fall into one of the following categories:

(1) Existing permitted facilities which are not constructed to current specifications including size and configuration standards will be grandfathered to current owners only. They will be allowed to remain as long as they can be safely maintained, without major repairs. When major repairs are needed, the grandfathered facility will be replaced. Major repairs are defined as the replacement of any structural member. The decking and/or flotation are not considered structural members. The grandfather provision applies to the permit holder or original owner and his/her spouse for their lifetime. A

grandfathered facility cannot be repermited to another individual until it meets current standards and complies with current policy. The only exceptions to this are the facilities described in subsection (2), below.

(2) The following facilities will be grandfathered to current and future owners: second boat slips, roof sections (including those that have one main dock section and two fingers), two fingers for an installed boatlift, boatlifts that attach onto another permittee's finger section and T-docks that have one main dock with the finger section in the middle (two slips). Boatlifts that attach onto another owner's finger section will be allowed to remain only as long as the slip owner permits it. When the facility can no longer be maintained and be safe, a new facility meeting current standards and complying with current policy may be built to replace the old one.

[Note: A limited number of group docks remain in areas rezoned from Limited Development to Protected Shoreline. See Appendix K for special conditions for these docks.]

## **5. Location of Group Docks.**

a. New group docks are only permitted in Limited Development Areas at approved locations. Group dock locations will be selected according to the criteria in this plan and to best serve all members of that group or subdivision. Priority will be given to areas which have public access avenues to government property to serve a larger segment of the public. Applicants may be required to join an existing group dock. Future group docks will not be placed closer than 500 feet to another group dock, measured center to center. The distance will be determined by measuring the line of sight along the general summer pool contour with a laser range finder, a Global Positioning System (GPS), or by physically measuring the shoreline where a line-of-sight is not possible from one point to another. This rule complies with density restrictions mandated by the shoreline regulations. A waiver of the 500 foot spacing requirement may be approved by the Operations Manager, Green River Area, if terrain features make access to an existing group dock unusually difficult, and access cannot be improved by other means.

b. Proposed group dock locations will be evaluated on the basis of the number of people served, suitable topography, access, water depth and underwater topography and wave, wind and wake action. The water depth and the configuration of the lake bottom must be suitable for the installation of docks. Water depth must be sufficient to allow at least two-foot depth at the seaward edge of the main dock section without using unusually long walkways or standoffs. No group dock shall extend more than one-third the width of a cove at normal summer pool. The Park Manager may direct the relocation of an existing group dock to better serve the needs of the entire group or subdivision. Any directed relocation will be at the expense of the permittee(s).

## **6. Size and Configuration.**

a. The size of individual boat slips will be limited to the minimum size necessary to moor the permittee's boat. The maximum length of any boat moored in a slip will be 30 feet. Each slip shall consist of a main dock and a finger in an "L" configuration. The main dock section will be 6 feet wide. The length will be equal to the beam of the boat or its widest dimension plus 6 feet rounded up to the nearest whole foot. The maximum length will be 17 feet and the minimum 14 feet. The width of the boat must be contained within the water space of the slip. The finger will be 4 feet wide and 20 feet long, except when a shorter finger length is required by site conditions, with a minimum length of 15 feet. The connection to other main dock sections will be end to end, and shall be made through an approved hinge mechanism that allows removal of a single slip as a distinct unit without damage to others. A maximum of two walkways will be permitted for each group dock. The width of the walkway shall be 4 feet and maximum length will be 20 feet.

b. The Park Manager will determine the maximum size group dock that can be accommodated at any given location. Terrain or underwater features may restrict the number of slips on a group dock. With no terrain restrictions or other special considerations the maximum number of boat slips in a group dock will be twelve (12).

## **7. Slip Design.**

a. The design of the boat slip shall be such that a safe, stable facility is constructed. The Louisville District Corps of Engineers' standard design is included in this appendix. The permittee may use a commercially manufactured slip that is produced by a company normally engaged in the manufacture of slips provided that all requirements as to dimensions, quantity of flotation, and configuration are met. The permittee may submit his own design that has been certified by a registered professional engineer as being equal to or exceeding the Corps of Engineers' design.

b. The flotation material for slips shall be fabricated of materials manufactured for marine use. Flotation materials shall be 100% warranted for a minimum of 8 years against sinking, becoming waterlogged, cracking, peeling, fragmenting or losing beads. All flotation shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. Flotation material used shall be fire resistant. Flotation material which is within 40 feet of a line carrying fuel shall be 100% impervious to water and fuel. New or recycled plastic or metal drums or non-compartmentalized air containers for encasement of styrofoam is prohibited. Existing flotation will be authorized until it has severely deteriorated and is no longer serviceable or capable of supporting the structure, at which time it shall be replaced with approved flotation. For any flotation installed after the effective date of this specification, repair or replacement shall be required when it no longer performs its designated function or fails to meet the specifications for which it was originally warranted. Flotation material shall be placed with the maximum surface area in contact with the water to increase the stability of the dock.

c. Quantities of flotation required for slips are:

<b>Main Dock Section</b>		<b>Finger Section</b>	
<u>Length (ft)</u>	<u>Flotation (cf)</u>	<u>Length (ft)</u>	<u>Flotation (cf)</u>
14	46	15	33
16	52	16	35
17	56	17	37
		18	39
		19	40
		20	41

d. All wood materials shall be kiln-dried lumber that has been commercially pressure treated with a wood preservative.

e. All nails, bolts, screws, washers and other metal hardware shall be acceptable for use with pressure-treated lumber.

f. Wooden slips will not be painted. Commercially manufactured metal docks may be painted a neutral color to blend with the natural background. Additional clear wood preservatives or clear sealers may be applied before the walkway, finger or main dock is put on the water or when they are setting on the lake bottom. The Park Manager must first approve any treatment applied to the wood. White, yellow, orange or other high visibility paint or coloring will not be used except for flotation materials.

g. The Corps of Engineers' standard design in this section has a detail for hinges. The permittee may use this design or submit an alternate method for review and approval. Hinges must facilitate the easy joining or disconnection of main docks and fingers, while floating or aground and must provide a strong, stable connection.

h. All deckboards will be secured by fasteners approved by the government that have been shown to prevent or seriously resist the tendency of fasteners to rise above the deck board surface and becoming a tripping / foot injury hazard. At this time, approved fasteners only include screws and spiral nails. Other fasteners may be approved in the future as new products are developed that serve the purposes described here. All fasteners must be acceptable for use with pressure-treated lumber.

## **8. Anchoring.**

a. Anchoring devices shall be 3/8" minimum diameter metal cable or wire rope attached to the dock with 1/2" minimum eyebolts. Trees or other vegetation will not be used for anchoring. A detail for a concrete shore anchor is shown in the standard design. With approval, winches can be attached on the dock or on land to release and retrieve cables. If placed on land they must be at ground level. Anchoring cables and shoreline anchors are required on all group docks, regardless if standoffs are used or not.

b. Seaward anchor cables may be approved. All cables extending seaward must be at a minimum depth of 4 feet to prevent interference with navigation. The permittee will remove any anchoring devices placed in the lake when no longer in use.

c. Metal standoffs made of 2 1/2" OD aluminum or galvanized steel pipes may be used to help stabilize the group dock. A detail is shown in the standard design. Any variance from this design must be submitted to the Park Manager for approval. Use of metal standoffs can provide additional protection for docks during periods of high water.

## **9. Appurtenant Structures.**

a. Any structures added onto a main dock or finger must be approved by the Park Manager.

b. One storage locker may be authorized per slip. The size of the storage locker shall be a maximum of five feet long by two feet wide and three feet tall. Lockers must be positioned with the maximum dimension horizontally on the main dock section and shall not extend over the water. Wooden lockers will not be painted but clear preservatives or sealers may be used. Commercially manufactured lockers will be corrosion resistant. No bright colors, stainless steel, or chrome will be allowed.

c. Boat lifts and/or personal watercraft lifts may be installed in boat slips. Personal watercraft lifts can be the type that installs on the end of the finger or in the slip (on the water). If a personal watercraft lift is to be installed on the end of the finger section, the Park Manager may require a wider finger section, up to 6'. This type of lift would completely remove the personal watercraft from the water for storage on the top of the finger. Watercraft lifts shall be commercially manufactured units from a manufacturer normally engaged in the production of boat/personal watercraft lifts. Boat or personal watercraft lifts may attach only to the owner's main dock and finger. Plans and catalog cuts will be submitted to the Park Manager for approval prior to installation. Lifts may not extend more than one foot beyond the end of the dock finger. Any authorized boat lift greater than 21' in length will be grandfathered to all current and future owners until such time that it can no longer be safely maintained without major repairs. Major repairs are defined as replacing any steel structural member (other than the hull support assembly), tank assembly or entire control unit. When major repairs are needed, the grandfathered facility will be replaced. See Appendix C for information on use of electricity on docks..

d. Bumper strips are optional. Bumper strips may not exceed 6" in width. New or replacement bumper strips must be dark in color (dark blue, dark green, brown, or black).

e. A strip of white reflective material not more than 2" wide may be affixed vertically on the seaward edge of the main dock to provide night visibility. Amber reflectors, no larger than 3" diameter may be used in lieu of white material. Reflectors or white material will be spaced no closer than 3 feet apart.

f. Personal watercraft, small boats and canoes may be stored on the finger only. The finger may be modified to provide a ramp for removing personal watercraft and small boats from the water. The permittee shall submit his design for personal watercraft ramps to the Park Manager for approval prior to any construction. Jet skis, small boats or other watercraft stored on the water or on lifts shall count toward the maximum number of boats for a permittee, as outlined in Paragraph 1.

g. Ladders may be attached to the end of the finger, but shall not cover the permit plate on the dock.

h. Handrails may be installed only on walkways with prior approval.

i. With prior approval, vertical bumper boards may be installed on the sides of a finger. Bumper boards are to be constructed of a minimum 2"x 6" pressure treated lumber and are to be attached to the frame of the dock utilizing a minimum of 2 one-half inch carriage bolts. Fasteners must be acceptable for use with pressure-treated lumber. Wood is to be plain/undecorated. A maximum of 4 bumper boards will be allowed per slip. Bumper boards may extend a maximum of 18 inches above the surface of the dock; one of these bumper boards may extend a maximum of 36 inches above the surface of the dock to facilitate entry/exit from the boat. Bumper boards may not be installed on adjacent fingers without the written permission of the owner of that slip.

#### 10. **Special Considerations**

a. No carpeting is permitted.

b. The permit tag provided by the Corps of Engineers will be displayed on the seaward end of the finger and not obscured by a moored boat or an attached ladder.

c. Group docks are private property. "No Trespassing" or similar signs may be placed flat on the deck or on the landward-side of the dock and may not be visible from the water. Signs may not exceed 12" x 12" in size, or if wording is individually applied to the dock, letters will not exceed 2" in height. Enforcement of the "No Trespassing" provision will be the responsibility of the owner and local law enforcement.

d. Houseboats will not be moored at group docks nor will any slip specifically designed for houseboats be permitted, except at commercial marinas. The maximum length of any boat moored at a group dock is 30'.

e. The permittee or his designated representative must maintain surveillance of the group dock on a regular basis. It shall be kept afloat at all times that the pool level is above summer pool. Allowing the group dock to become grounded above summer pool may result in revocation of the permit and/or permittee may be cited for violation of Part 327.20, Title 36, CFR.

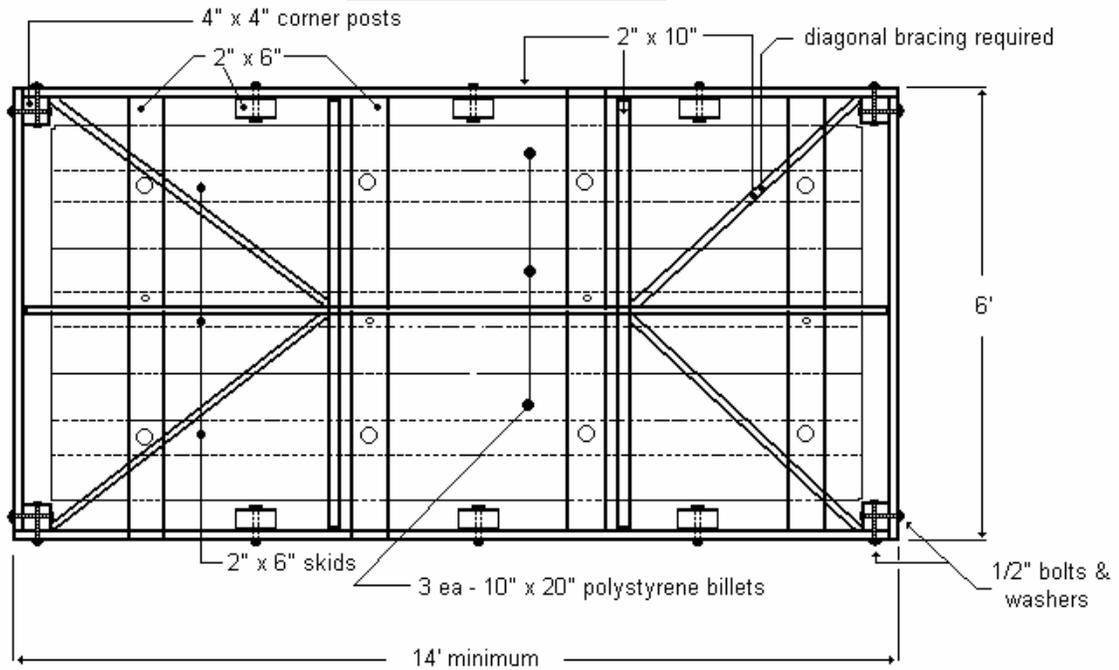
f. Roof sections, including any type of canvas covering, will not be permitted on

slips. Grandfathered roof sections will be allowed to remain. See section 4.

g. Eligible applicants for new dock slips may be allowed to add on to the dock closest to their legal access to government property.

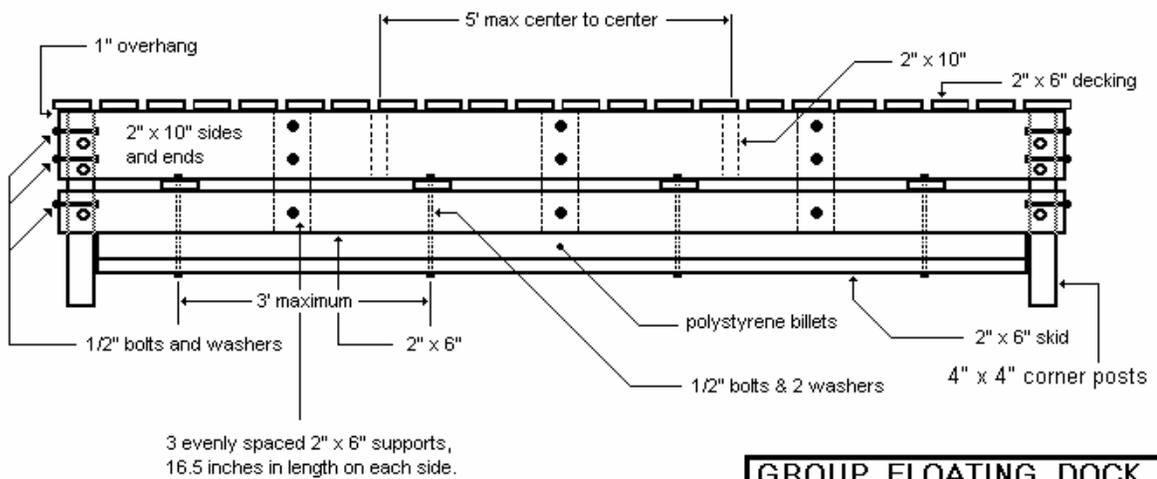
h. In instances where a dock has been configured so that a boat is not afforded protection on each side (such as a 'U' formed from two 'L' shaped slips facing opposite directions, or an end slip with no finger on the outside), the Park Manager may allow one affected individual on that dock to install an additional finger to afford this protection to each boat. The main dock section and fingers involved must be constructed in accordance with current regulations and current policy. Grandfathered facilities, such as roof sections (including those that have one main dock section and two fingers), and T-docks that have one main dock with the finger section in the middle (two slips) must be brought into compliance with current regulations and current policy prior to installation of this additional finger.

**MAIN DOCK PLAN VIEW**



Note: Main dock plan view shown without decking - not to scale

**MAIN DOCK -- SIDE VIEW**



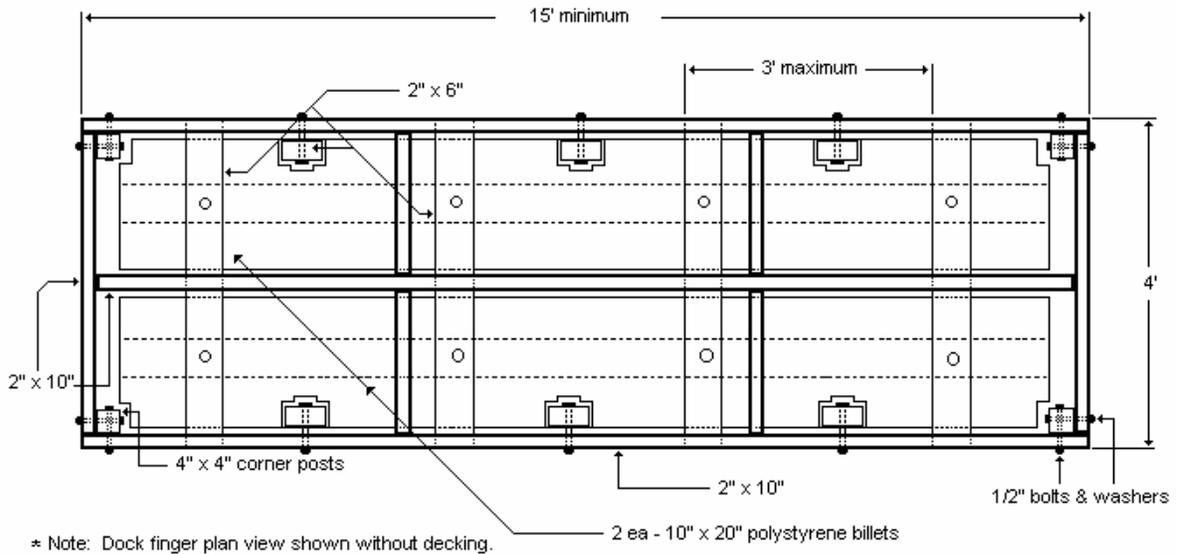
**GROUP FLOATING DOCK SPECIFICATIONS**

U.S. ARMY CORPS OF ENGINEERS  
LOUISVILLE DISTRICT  
Drawing 1 of 7

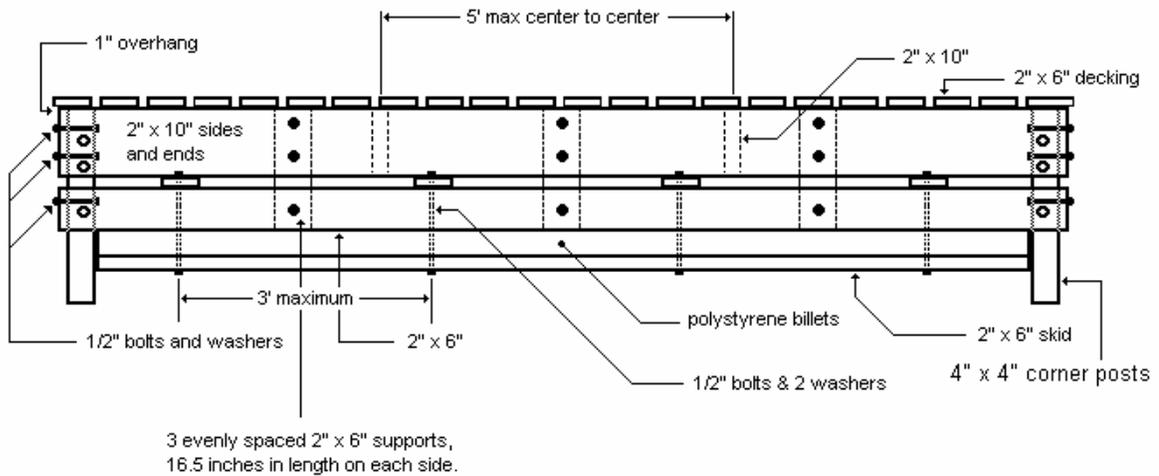
APPENDIX H

Scale: None

### DOCK FINGER - TOP VIEW



### DOCK FINGER - SIDE VIEW



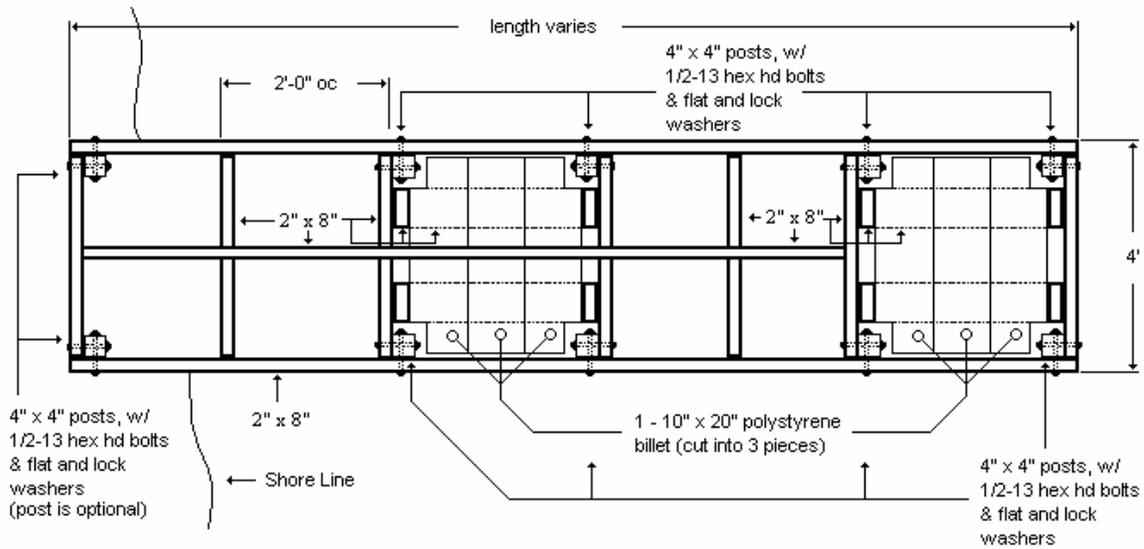
### GROUP FLOATING DOCK SPECIFICATIONS

U.S. ARMY CORPS OF ENGINEERS  
LOUISVILLE DISTRICT  
Drawing 2 of 7

APPENDIX H

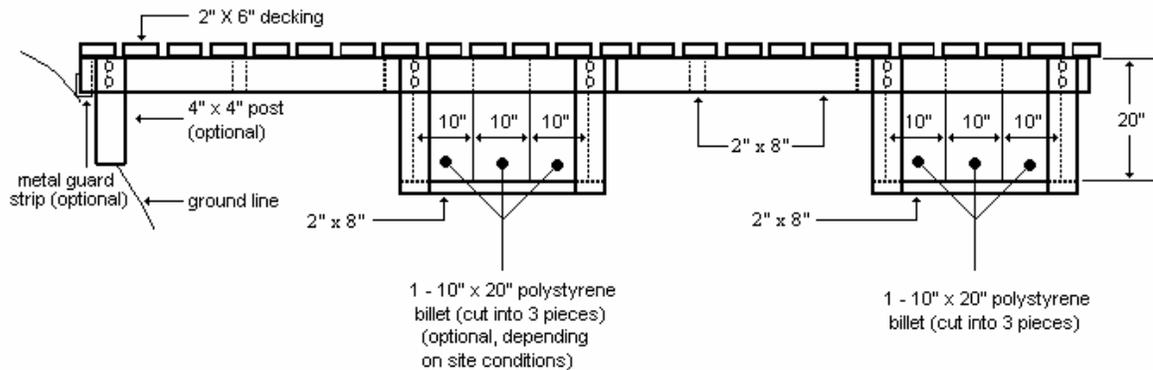
Scale: None

### WALKWAY - PLAN VIEW



Note: Walkway plan view shown without decking.  
 Mid-walkway flotation is optional, depending on site conditions. If installed, its position may vary, depending on site conditions.  
 Center stringer/support is optional, but recommended.

### WALKWAY - SIDE VIEW



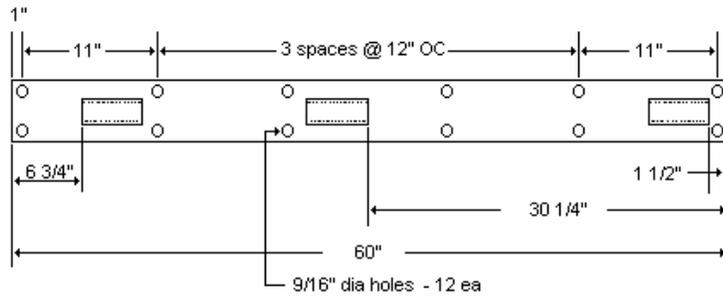
### **GROUP FLOATING DOCK SPECIFICATIONS**

U.S. ARMY CORPS OF ENGINEERS  
 LOUISVILLE DISTRICT  
 Drawing 3 of 7

APPENDIX H

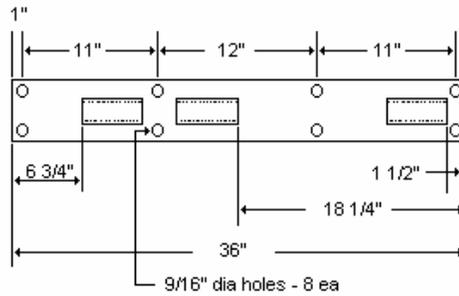
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### MAIN DOCK HINGE



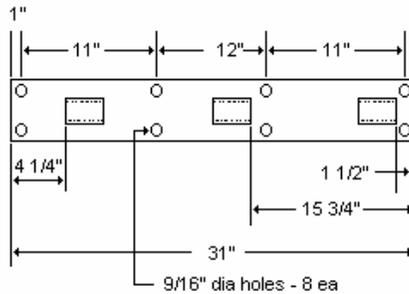
5" long section of 2-1/2" sch 40 steel pipe fillet welded entire length both sides to a 1/4" thick steel plate - typ 3 places

### FINGER / MAIN HINGE



5" long section of 2-1/2" sch 40 steel pipe fillet welded entire length both sides to a 1/4" thick steel plate - typ 3 places

### WALKWAY / MAIN HINGE



2-1/2" long section of 2-1/2" sch 40 steel pipe fillet welded along entire length of section both sides to 1/4" steel plate

### GROUP FLOATING DOCK SPECIFICATIONS

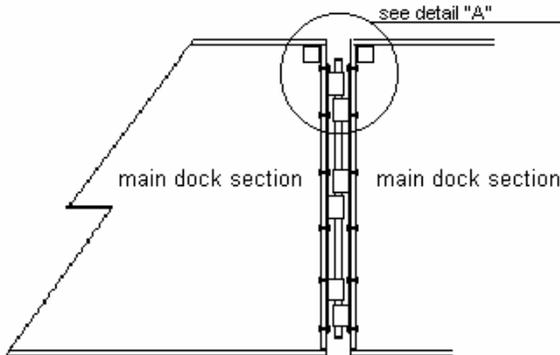
U.S. ARMY CORPS OF ENGINEERS  
LOUISVILLE DISTRICT  
Drawing 4 of 7

APPENDIX H

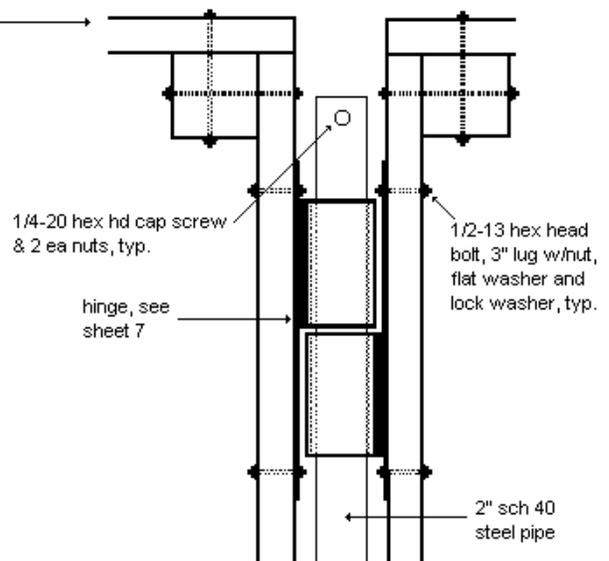
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## HINGE DETAIL

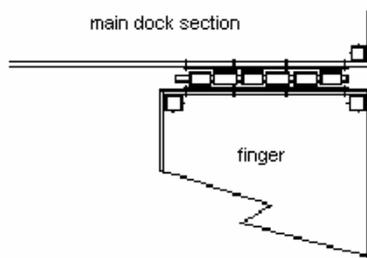
### MAIN DOCK / MAIN DOCK CONNECTION



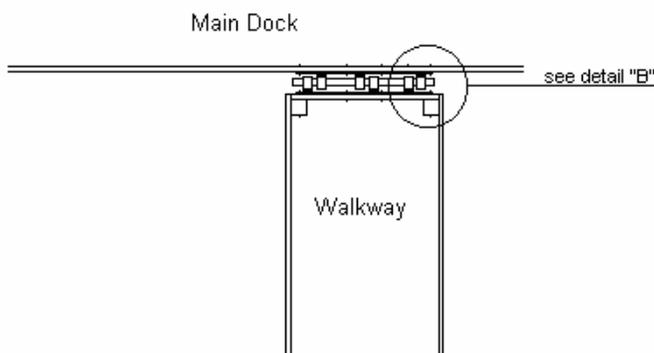
### DETAIL "A"



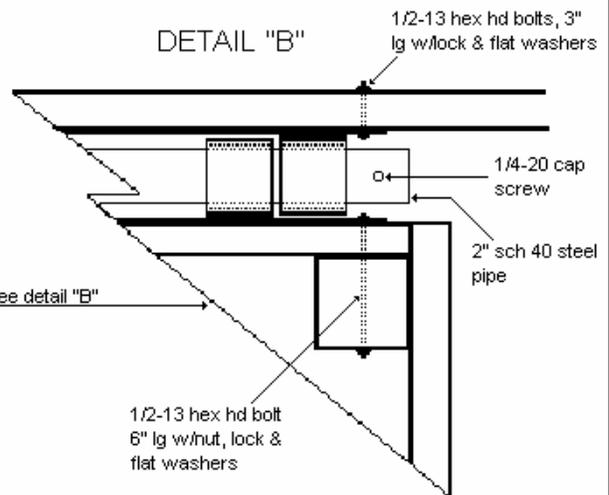
### FINGER / MAIN DOCK CONNECTION



### WALKWAY / MAIN DOCK CONNECTION



### DETAIL "B"



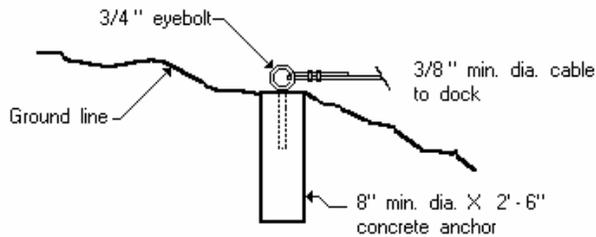
### **GROUP FLOATING DOCK SPECIFICATIONS**

U.S. ARMY CORPS OF ENGINEERS  
LOUISVILLE DISTRICT  
Drawing 5 of 7

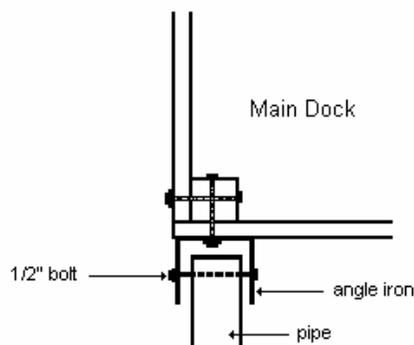
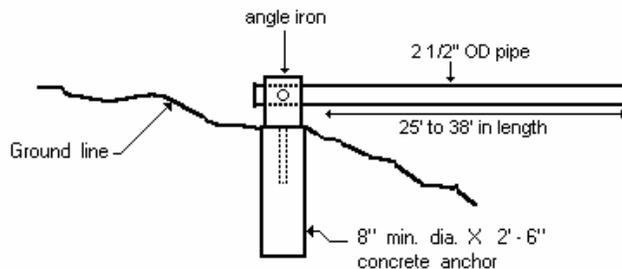
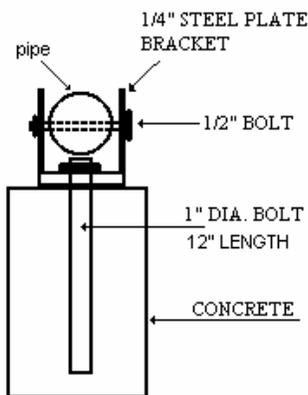
APPENDIX H

Scale: None

**SHORE ANCHOR DETAIL**



**PIPE STANDOFF DETAIL  
OPTIONAL**



**GROUP FLOATING DOCK  
SPECIFICATIONS**

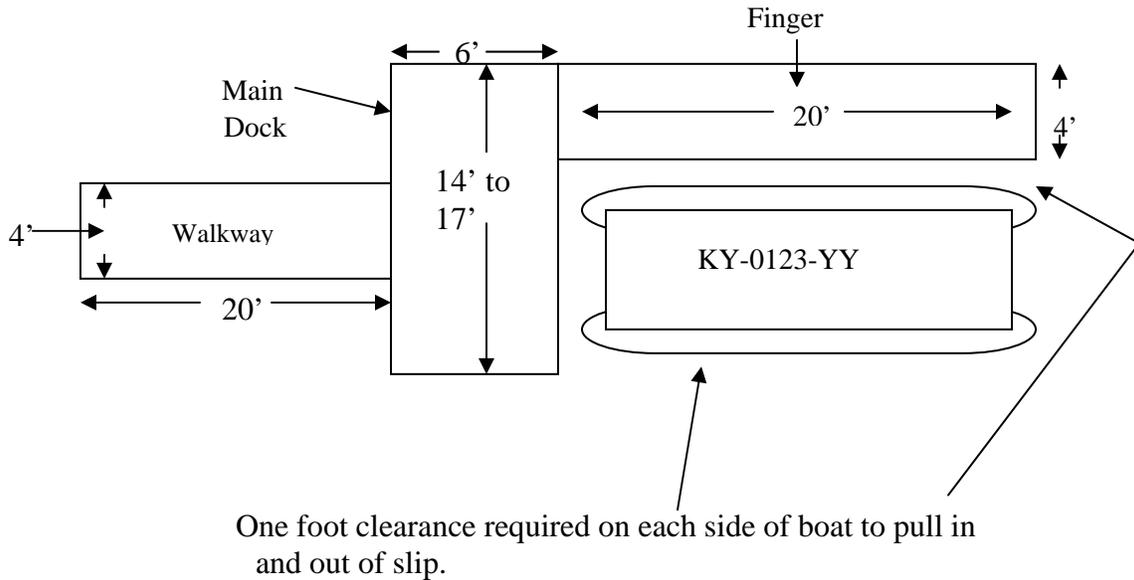
U.S. ARMY CORPS OF ENGINEERS  
LOUISVILLE DISTRICT  
Drawing 6 of 7

APPENDIX H

Scale: None

## DOCK PLAN

\*\*\*EXAMPLE\*\*\*



### **Also Please Note:**

Walkway: Standard width =4'. Maximum length=20', no minimum length

Main Dock: Standard width =6'. Length may be 14' to 17'.

Finger: Standard width =4'. Length = 20'.

Length of main dock is determined by taking the beam (widest point) of boat, adding 4' for width of finger and adding 2' of width for boat to move in/out of slip (i.e., beam of boat 8' + 4' for width of finger + 2' move in/out space = 14').

### **GROUP FLOATING DOCK SPECIFICATIONS**

U.S. Army Corps of Engineers,  
Louisville District  
Drawing 7 of 7  
Appendix H  
Scale: None

## APPENDIX I

### Shoreline Management Plan

#### Vegetation Alteration and Unimproved Path Permits

1. **General.** Vegetation alteration permits (VA) may be issued in Limited Development Areas. Permits for unimproved paths may be issued in Limited Development and Protected Shoreline Areas. All permits are issued subject to the conditions contained in this appendix. Permits specified in this appendix may be issued to improve access to the lakeshore. 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 government property will not be permitted. Permits will not be issued in areas where, in the opinion of the Park Manager, significant adverse environmental impact will result or has occurred.

2. **Eligibility.** VA permits will be issued to individuals owning property adjacent to government property designated as Limited Development Area. A subdivision developer, an officer of a subdivision association or organization, an adjacent lot owner, an interior lot owner, or the point of contact for a boat dock at a public access area may obtain a VA permit or an unimproved path permit, depending on the shoreline zoning, at that designated public access area. Only one VA or unimproved path permit will be allowed at each public access area and an individual or household may be allowed only one vegetation alteration permit or unimproved path permit on each lake.

3. **Size and Configuration.**

a. **Vegetation Alteration.** The dimensions of the permit area shall be as follows: a maximum of 50 feet long as measured along the shoreline, 20 feet in depth maximum from the waters edge at summer pool, and a 10 feet wide maximum strip from this area to the government boundary line. The 10 feet wide strip should meander to prevent rapid runoff and accelerated erosion and is subject to a maximum length of 500'. Extensions in length may be considered on a case by case basis, provided there is a minimal change to the limits to allow reasonable access to an authorized community dock and no other provisions or requirements of the plan are violated. A typical configuration for a Vegetation Alteration permit is shown on sketch #1 at the end of this appendix

b. **Unimproved Paths.** Mowed paths are limited to a maximum length of 500 feet, or to the nearest dock location, whichever distance is shorter. Extensions in length may be considered on a case by case basis, provided there is a minimal change to the limits to allow reasonable access to an authorized community dock and no other provisions or requirements of the plan are violated. The width of the path will be a maximum of 5 feet, and configured to control rapid runoff of surface water and erosion. A typical configuration for an Unimproved Path permit is shown on sketch #2 at the end of this appendix.

c. **Grandfathered Permits.** Permits that were in effect as of 31 May 1994 will be grandfathered as to size and configuration for the lifetime of the permit holder or his/her spouse. No increase in the area is allowed if the present permit exceeds new guidelines. Upon the sale or transfer of the adjacent property, the permit shall be null and void. The new owner may apply for a permit, if eligible, in accordance with current guidelines.

4. **Scope.** - Vegetation alteration and work that can be performed under an unimproved path permit includes removing selected trees, underbrush, or driftwood, trimming, pruning, and mowing. Prior to the removal of any vegetation, the permittee shall meet with a Corps Ranger who will outline the limits of the permit area and designate certain trees or stems that must be left in the permit area. The permittee will leave a minimum of one tree for each ten feet square (100 square feet). Clearcutting will not be allowed. Trees larger than 3" diameter at ground level will not be cut unless dead, diseased, or damaged and approved for cutting.

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. Permittee shall exercise care to protect the vegetation designated to remain. Grass may not be cut less than 3" above ground.

b. **Pruning and Trimming.** Trees within the permit area that are larger than three inches in diameter at ground level 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. **Removing underbrush.** Permittee may selectively remove certain undesirable vegetation within the permit area (such as poison ivy, poison oak, poison sumac, vines, briars, and thistles) in lieu of mowing.

d. **Removing driftwood.** Driftwood, downed timber and other floating debris within the permit area can be removed by the authority of the VA or unimproved path permit. Disposal shall be off site or by burning as outlined in paragraph 5 below.

e. **Herbicides.** Herbicides **will not** be used on government property.

5. **Burning.** All driftwood, untreated wooden debris, treetops, etc., may be burned unless prohibited by State or local laws and regulations. All burning shall be confined to the area on the lake bottom between minimum pool (winter pool) and seasonal pool (summer pool). All activities shall comply with burning and clean air codes, laws, rules and regulations, and permit conditions. The vegetation alteration permittee or unimproved path permittee shall obtain a burning permit from the Park Manager prior to any burning on Corps lands.

6. **Specified Acts Permit.** The park manager, or his representative, may issue a one-time permit allowing the authorized permittee to accomplish the work detailed in the permit. These activities may include removal of driftwood, dead trees, rocks, etc. Each permit will have a specified time frame in which to perform the authorized action. Authorized actions outlined in the permit which are not performed within the specified time frame will require the permittee to obtain a new permit to complete the action. Renewal of the permit will not

be automatic, but will be at the discretion of the park manager, or his representative. These permits are non-transferable.

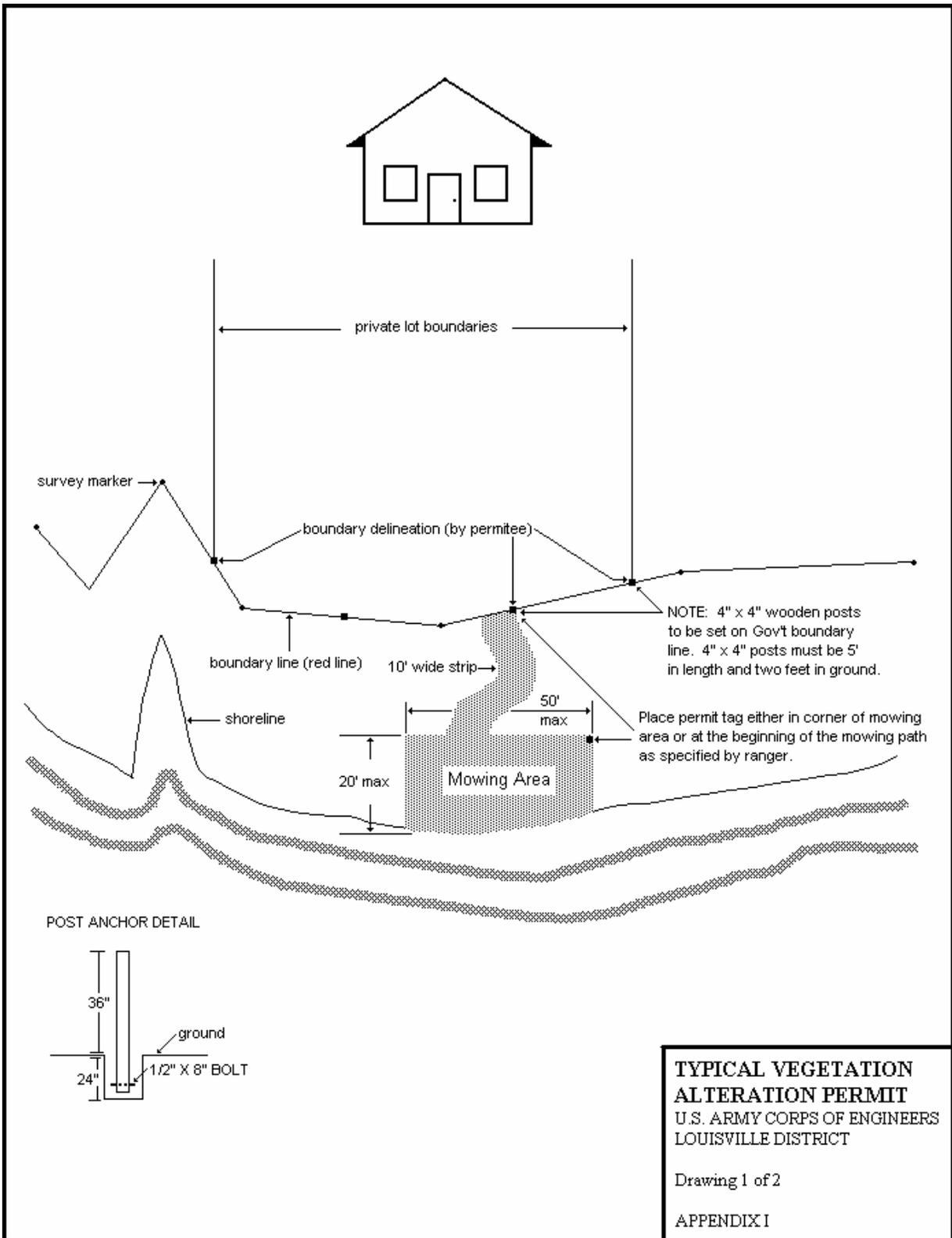
**7. Marking Boundary Line.** Each vegetation alteration permit or unimproved path permit holder shall mark the boundary between government lands and private property with wooden posts. Posts shall be set at the intersection of the lot boundary line with the government property line (red line) and at the mid-point between these posts. Should a government monument exist at a point where a post is required, the post may be omitted. The permittee shall not move or otherwise disturb any monument or survey marker. Posts shall be five foot long and four inches by four inches and shall be set to a depth of two feet into the ground. The permit tag provided by the Corps of Engineers shall be attached to a post as directed by the Park Manager (see typical vegetation alteration drawings). Posts shall be installed at no cost to the government prior to commencing any work authorized under a vegetation alteration permit or an unimproved path permit. The permittee may submit an alternate method of marking the boundary line to the Park Manager for approval, although the alternate method shall not impede inspection and surveillance of the boundary by Corps Rangers.

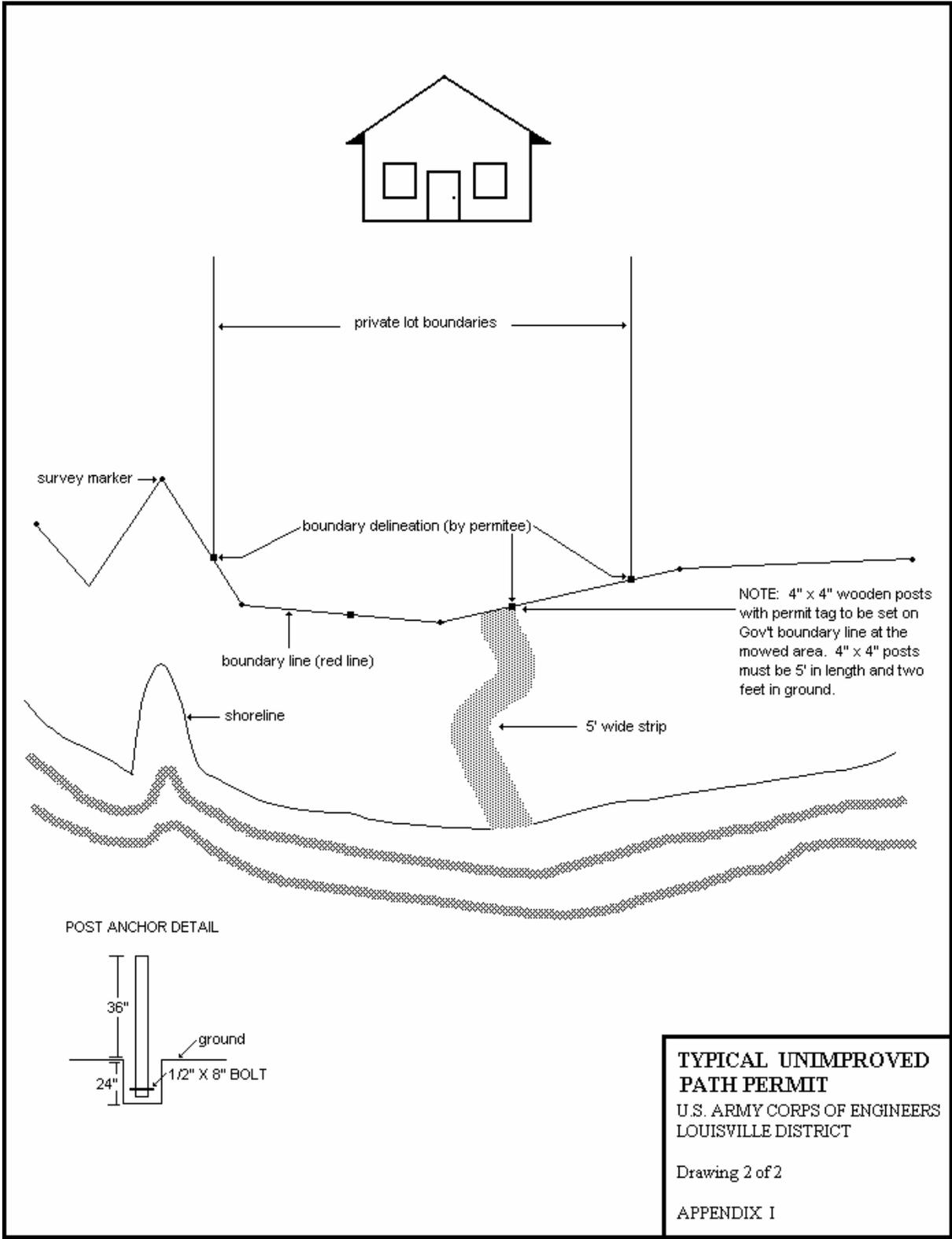
**8. Permit Terms and Fees.** Although permits will normally be for five years, the vegetation alteration permit or unimproved path permit may be combined with another permit to achieve a common expiration date.

**9. Permit Revocation.** The Park Manager may revoke a permit issued under this appendix and require restoration of the area to his satisfaction if the permittee has exceeded the authorized scope of the permit. The Park Manager may also revoke permits issued under this appendix when significant environmental degradation has occurred in the area.

**10. Habitat Mitigation.** The Park Manager may issue special act permits for removing snags and stumps, not to exceed ten feet below summer pool to install a dock, or a permit not to exceed five feet below summer pool to open boat lanes to a dock. To mitigate the loss of habitat, the permittee may be required to construct fish attractors before removing the vegetation. The location and construction method must be approved. Permits for removing snags and stumps to open boat lanes may be issued to persons owning property on a tract of land/subdivision adjacent to government property

**11. Habitat Enhancement and Restoration.** Habitat enhancement and restoration may be allowed on government property under a vegetation alteration permit. Adjacent landowners may plant certain native vegetation on government property with prior approval. Additional information on acceptable native species and techniques may be found at the project office.





**TYPICAL UNIMPROVED  
PATH PERMIT**  
 U.S. ARMY CORPS OF ENGINEERS  
 LOUISVILLE DISTRICT

Drawing 2 of 2  
 APPENDIX I

## APPENDIX J

### Shoreline Management Plan

#### Permit and License Fees

1. **General.** - A fee is charged for shoreline use permits to cover the cost incurred by the Corps of Engineers in administering these permits and in certain cases for inspecting the facilities. These 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.

#### 2. Fees and Duration of Permit.

a. **Boat Docks.** The permit fee for a boat dock will be \$30.00 for a five-year permit. The \$30.00 fee is comprised of a \$10.00 administrative fee plus a \$5.00 per year inspection fee for years two through five.

b. **Vegetation Alteration.** The fee for a vegetation alteration permit is \$2.00 per year. Although permits will normally be for five years, permits of varying length (whole year only) may be issued for administrative reasons. The expiration date of the permit will be a whole year multiple from the anniversary date of the initial issue.

c. **Path and Burning Permits.** These permits are issued at no cost to the permittee. Unimproved path permits will be issued in the same manner as vegetation alteration permits. Burning permits will be issued only to individuals holding a valid vegetation alteration permit or unimproved path permit and the expiration date will coincide with that of the permit.

d. **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 fee shall be paid a minimum of 15 days prior to the event.

e. **Special Act Permits.** 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 any costs incurred by the Corps of Engineers in conjunction with the permit.

f. **License Fees.** License fees are collected for improved pedestrian access (i.e., cart paths, footpaths, etc.), existing electrical service, boat ramps, etc. The license fee is based on the fair market value and the administrative cost of processing and administering the license. License fees are reviewed annually and are subject to change as the market values and/or administrative costs change. Current license fees will be provided upon request.

3. **Payment of Fees.** The Park Manager will collect the full permit or license fee in advance. Payment shall be made by personal check, money order, or cashiers check made to "USAED, Louisville". **Cash will not be accepted.**

4. **Consolidated Permits.** Shoreline management permits may be consolidated with other permits into a single permit. The expiration date will be coordinated and the fees will be combined.

## APPENDIX K

### Shoreline Management Plan

#### Grandfathered Facilities in Protected Shoreline Areas

[Note: This appendix applies only to Rough River Lake]

1. **General.** The national regulation that provides policy and guidance for shoreline management was revised on July 27, 1990. The revised regulation prohibits shoreline use facilities and/or activities within or near public recreation areas. Some shoreline zoning at Rough River Lake was changed from Limited Development Area to Protected Shoreline Area to comply with this requirement. This appendix addresses the unique situation created by this action and the disposition of the facilities which had been permitted or licensed in these areas. Permits and licenses may be issued only to adjacent property owners or property owners of a developed subdivision adjacent to government property who have legal right of access to the shoreline. The Park Manager may request documentation of the right of access.

2. **Vegetation Alteration.** Permits for vegetation alteration in effect on May 31, 1994 may be reissued to the permittee or his/her surviving spouse with no change in the size or configuration of the permit area. New owners must comply with current regulations for Protected Shoreline Areas.

3. **Group Boat Docks.** A limited number of group dock permits were approved in areas now zoned Protected Shoreline. Permits for these docks may be reissued to the permittee, his/her surviving spouse, or to new owners. These group docks must comply with the provisions in Appendix H of this plan and reference g. prior to permit renewal. These group docks must at all time meet the following conditions of P.L. 99-662:

- (a) Dock is maintained in a useable and safe condition.
- (b) Dock does not occasion a threat to life or property.
- (c) The holder of the permit is in substantial compliance with the existing permit.

Any group dock failing to meet these standards may be replaced in conformance with current specifications.

4. **Access Improvements.** Licenses for improved paths, footbridges, stairways and steps in effect on May 31, 1994 may be reissued to the licensee, his/her surviving spouse, or to new owners. Access to group docks grandfathered by this appendix can be improved to adequately serve the needs of the group. Group dock members may apply for licenses for cart paths, improved paths, footbridges, stairways or steps in accordance with Appendices D and E of this plan.

(a) In the case where there is a prescribed limit on the length of a path or a structure (i.e., footbridge, set of stairs), extensions in length may be considered on a case by case basis, provided there is a minimal change to the limits to allow reasonable access to an authorized

community dock and no other provisions or requirements of the plan are violated.

**5. Grandfathered Permits and Licenses.** A current list of grandfathered permits and licenses is maintained at the Rough River Lake Project Office.

## **Appendix L**

### **Shoreline Management Plan**

#### **Shoreline Use Permit Conditions**

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 harmless 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 or any damages to persons or 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 any 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 damage 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 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 material; 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 or 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 and/or activity 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 Park 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 satisfy the Park Manager, the District Commander may remove the facility by contract or otherwise and the permittee agrees to pay all costs incurred thereof.

11. The use of a permitted group 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.

12. Neither a permitted facility nor any houseboat, cabin cruiser, or other vessel moored thereto 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.

13. Facilities granted under this permit will not be leased, rented, sublet 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 of the facility. Rental property does not meet the requirements for slip application. If a landowner has an authorized slip and converts to rental property, the slip will be removed from project waters.

14. The floatation material for slips shall be fabricated of materials manufactured for marine use. Floatation materials shall be 100% warranted for a minimum of 8 years against sinking, becoming waterlogged, cracking, peeling, fragmenting or losing beads. All floatation shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. Floatation material used in them shall be fire resistant. Floatation material, which is within 40 feet of a line carrying fuel, shall be 100% impervious to water and fuel. New or recycled plastic or metal drums or non-compartmentalized air containers for encasement of styrofoam is prohibited. 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 shall be replaced with approved floatation. For any floatation installed after the effective date of this specification, repair or replacement shall be required when it no longer

performs its designated function or fails to meet the specifications for which it was originally warranted.

15. Permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. The Park 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 of the Park Manager.

16. Floating facilities shall be securely attached to the shore in accordance with the approved plans with moorings that do not obstruct general public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited. Every attempt should be made to route anchor cables around trees. If that is not possible, a protective coating or rubber hose shall be placed on the cable to prevent damage. Anchoring and winch devices will be kept at ground level.

17. The permit display tag shall be posted on the permitted facility and/or on the land areas covered by the permit so that it can be visually checked with ease in accordance with instructions provided by the Park Manager.

18. No vegetation other than that prescribed in the permit will be damaged, destroyed or removed. No vegetation of any kind will be planted, other than that specifically prescribed in the permit.

19. This permit authorizes no change in landform such as grading, excavation or filling.

20. 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.

21. By 30 days written notice, mailed to the permittee by certified letter, the District Commander or his/her designee 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 Park 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.

22. 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.

23. The Park Manager or his/her authorized representative shall be allowed to cross the permittee's property, as necessary, to inspect facilities and/or activities under permit.

24. When vegetation modification is allowed, the permittee will mark the government property line in a clear, but unobtrusive manner approved by the Park Manager and in accordance with the Shoreline Management Plan.

25. If the ownership of a permitted facility is sold, the permittee or new owner will notify the Park Manager of the action prior to finalization. The new owner must apply for a Shoreline Use Permit within 14 days or the permittee must remove the facility and restore the use area within 30 days from the date of ownership transfer.

26. If permitted facilities are removed for storage or extensive maintenance, the Park Manager may require all portions of the facility to be removed from public property.

27. The District Commander or his/her authorized representative may place special conditions on the permit when deemed necessary. Requests for waivers of shoreline management plan permit conditions based on health conditions will be reviewed on a case-by-case basis by the Operations Manager. Effort will be made to reduce onerous requirements when a limiting health condition is obvious or when an applicant provides a doctor's certification of need for conditions which are not obvious.