

Section I

Introduction

MASTER PLAN

DESIGN MEMORANDUM NO. 7B

LAKE SHELBYVILLE, ILLINOIS

SECTION I – INTRODUCTION

1-01. AUTHORIZATION

Federal laws provide that land and water areas of Department of the Army reservoirs, constructed for the primary purposes of flood control, navigation, and/or power, shall be administered to encourage and develop all collateral uses such as water supply, public parks and recreation, conservation of fish and wildlife resources, pollution abatement, and other purposes in the public interest.

Lake Shelbyville was authorized by the Flood Control Act of 1938 and modified by the Flood Control Act of 1958 in accordance with the Chief of Engineer's recommendations contained in House Document #232, 85th Congress, 1st session.

This report has been prepared in accordance with guidance contained in the following:

- a. ER 1105-2-100 Planning Guidance Notebook (22 April 2000)
- b. ER 200-2-3 Environmental Compliance Policies (30 Oct 1996)
- c. EP 200-2-3 Environmental Compliance Guidance and Procedures (30 Oct 1996)
- d. ER 1130-2-550 Recreation Operations and Maintenance Policies (original 15 Nov 96, chg 1, 01 Oct 99, chg 2, 01 Mar 02, chg 3, 15 Aug 02)
- e. EP 1130-2-550 Recreation Operations and Maintenance Guidance and Procedures (original 15 Nov 96, chg 1, 01 Oct 99, chg 2, 01 Mar 02, chg 3, 15 Aug 02)
- f. ER 1165-2-400 Water Resource Policies and Authorities, Recreation Planning, Development, and Management Policies (original 09 Aug 85, chg 1, 1988)
- g. ER 1110-2-400 Design of Recreation Sites, Areas, and Facilities (31 May 1988)
- h. ER 1130-2-540 Environmental Stewardship Operations and Maintenance Policies (original 15 Nov 1996, chg. 1, O4 Nov 2002)
- i. EP 1130-2-540 Environmental Stewardship Operations and Maintenance Guidance and Procedures (original 15 Nov 1996, chg. 1, 04 Nov 2002)

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- j. EM 1110-1-400 Recreation Planning and Design Criteria (1987)
- k. ER 1130-2-406 Shoreline Management at Civil Works Projects (original 31 Oct 1990, chg 2, 1999)
- l. ER 405-1-12 Real Estate Handbook (Original 20 Nov 1985, chg 34, 2000)
- m. ER 1120-2-404 Investigation, Planning and Development of Water Resources - Federal Participation in Recreational Development (1970)
- n. Environmental Impact Statement of Operation and Maintenance - Lake Shelbyville, Illinois (1975)

1-02. PROJECT PURPOSES

The purposes of the project include flood control on the Kaskaskia and Mississippi Rivers, navigation releases for the Kaskaskia River, domestic and industrial water supply, water quality control, fish and wildlife conservation, and recreation.

1-03. PURPOSE OF THE MASTER PLAN

The original Master Plan was intended as a guide for the orderly and coordinated development and management of all lands and water areas of the project. It presented data on the scope of development considered adequate for initial public use and an estimate of future requirements. The revised Master Plan presented an inventory and assessment of land and water resources and physical improvements, analysis of resource use and an evaluation of existing and future needs required to protect and improve the value of the resource base. The provision of quality and relevant services to the public was also evaluated. An economic evaluation of the market potential for resort and marina development was presented as one of the factors influencing resource development. This Master Plan builds on those plans and development. It also includes and builds from the Shoreline Erosion plan that was developed to alleviate the problems that shoreline erosion has been causing in the developed recreation areas.

1-04. SUPPLEMENTS AND LETTER REPORTS TO PRIOR MASTER PLANS

The original Master Plan was approved in October 1964, revised in 1974 and updated in 1979, 1984, and 1998. There were nine supplements and three letter reports requesting changes or additions to the original document. Seven supplements and two letter reports were submitted requesting changes or additions to the revised or updated documents. There have been a series of documents on Shoreline Erosion that have modified the Master Plan. The Shoreline Erosion documents include a Shoreline Erosion Management Plan and Environmental Assessment, a memorandum, and two letter reports.

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The following paragraphs in this section represent a chronological presentation of the supplements and letter reports to prior master plans.

a. Original Master Plan - Supplements and Letters. The following is a brief summary of the twelve reports that changed the original document:

(1) Supplement No. 1, 31 August 1967, presented the necessary modifications for upgrading the sanitary facilities at Wilborn Creek (Area No. 6), Sullivan (Area No. 8), and Whitley Creek (Area No. 10) Access Areas. Improvements included the installation of water borne comfort stations in lieu of the standard vault-type units that were previously approved for these areas, central shower and laundry buildings, and sanitary dump stations for the campsite developments at Areas 8 and 10, and sewage treatment facilities, 1st Endorsement, 19 October 1967.

(2) Letter, LMSED-PC, this office, 29 September 1967, Subject: Water Supply for Recreation Areas D-1, D-2, D-3, 1, 2, 3, and 13, Shelbyville Reservoir, Kaskaskia River, Illinois. The purpose of this letter was to obtain approval of a plan for supplying water to the subject recreation areas using the activity of Shelbyville's water system. Studies of comparative costs indicated a distinct economic advantage for using the city's water supply in lieu of costs for installing, operating, and maintaining treatment plants of sufficient size to furnish water to the seven access area. It was recommended that the letter be approved as a basis for proceeding with negotiations with the city of Shelbyville for the water service contract. Letter was approved by LMVED-TD, 1st Endorsement, 2 November 1967.

(3) Supplement No. 2, 7 February 1968, proposed the upgrading of sanitary facilities and the site plans at recreation area D-1, D-2, D-3, 1, 2, 3 and 13. It also contained minor additions to the previously approved upgrading plan for recreation areas 6 and 8. Modifications included provisions of central shower and laundry buildings and sanitary dumping stations at camping areas 2 and 13, conversion of 25 existing SC-1's in lieu of five previously approved SC-1's at areas D-2 and D-3, sewage treatment facilities for area 1, 2, 3 and 13, and provision of marine sanitary stations near the launching ramps at areas D-3, 1, 3, 6, 8, and 13. With exception of the latter, supplement was approved by ENG CW-OM, 2nd Endorsement, 13 June 1968. It was suggested that one marine sanitary station be installed at Lake Shelbyville to determine the costs of installation, operation and maintenance for a one-year period.

(4) Supplement No. 3, 9 April 1969, proposed excavation and shaping of six previously approved boat harbor sites to insure adequate and safe mooring and maneuvering areas as required, to develop and provide for their maximum utilization. Supplement was approved by LMVCO-O, 1st Endorsement, 5 May 1969.

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(5) Letter, LMSSD-C, this office, 14 November 1969, Subject: Request for Approval of Contract with Moultrie County Rural Public Water District for Furnishing Water Service to Public Use Areas 6, 8, 10 and 11. Letter was approved by ENGGC-R, 2nd Endorsement, 29 December 1969.

(6) Supplement No. 4, 17 March 1970, presented a plan for providing improved access roadways to the Lithia Springs and Lone Point Public-Use Areas. The proposed improvements included construction of 10,900 feet of roadways with 20-foot wide surface and 4-foot shoulders. The access roads were designed to be comparable to the circulation roads within the recreation areas. The local county road authorities agreed to purchase all additional necessary rights-of-way and to be responsible for maintaining the completed roadway. Supplement was approved by ENDCW-EZ, 2nd Endorsement, 22 April 1971, with one reservation - "Prior to construction, local interests must acquire and turn over to the Government fee title for right as-of-way necessary to accommodate the improvements, Also, assurances that the roads will remain open to the public and that the county will accept maintenance responsibility with easement return, must be furnished." Subsequently, these requirements were further elaborated on in paragraph 3 of the 4th Endorsement.

(7) Letter, LMSED-PC, this office, 14 May 1970, Subject: Marine Sanitary Stations at Lake Shelbyville. In 2nd Endorsement to Supplement No. 2, ENGCW-OM, 13 June 1968, it was suggested that one such sanitary station be provided (see (3) above). However, to comply with Illinois Department of Public Health regulations that prohibit the discharge of sewage from boats into Federal impoundment areas, it was requested that two additional sanitary stations be installed. The three stations are located at recreation areas 6, 10, and 13 and should adequately serve the lake. Letter was approved by ENGCW-OR, 2nd Endorsement, 26 June 1970.

(8) Supplement No. 5, 15 January 1971, requested approval to construct a swimming area at the Shelbyville Dam West Access Area (D-3). In addition to the swimming beach, complementary facilities would include a connecting roadway, paved walking area, grass overflow parking area, drinking fountains, paved walkway and a bathhouse to include toilets, showers, and change space. It was proposed to complete phases of planned initial development of the facilities at the D-3 area and outgrant all lands and facilities to the city of Shelbyville for operation and maintenance. In addition to the proposed beach facility, previously approved facilities at this area include a boat launching ramp and related parking, modest picnicking and sanitary facilities, limited landscaping, boat harbor concession site, and adequate lands to complement the city park. Supplement was approved by ENGCW-PV, 2nd Endorsement, 10 March 1971.

(9) Supplement No. 6, 10 March 1972, requested authority for providing electrical facilities at the campsites in Coon Creek and Sullivan Public Access Areas (Sites 2 and 8). Improvements included campsite service equipment for 126 campsites at Coon Creek and 81 campsites at Sullivan Access Area. The provision of these facilities at 207 of the total 415 campsites originally approved for the lake would assure that the using public will have a choice of campsites relative to their needs. Supplement was approved by LMVPD-R, 1st Endorsement, 5 April 1972.

(10) Supplement No. 7, 23 August 1972, proposed the construction of an additional roadway at Lithia Springs Access Area to separate the concession area, boat launching complex, and day-use facilities from the camping facilities. In addition, a campground control station was proposed for purposes of maintaining security and collecting user fees. This supplement was approved by LMVPD-R, 6 October 1972.

(11) Supplement No. 8, 17 November 1972, proposed the development of a swimming beach facility on a portion of Area E, to be constructed jointly by the Corps of Engineers and the County Board of Moultrie County. This supplement was approved by LMVPD-R, 19 December 1972.

(12) Supplement No. 9, 18 April 1973, proposed upgrading and/or construction of new recreational facilities for the Opossum Creek, Lone Point, Coon Creek and Lithia Springs Access Areas. Changing recreational demands resulted in most of the picnic facilities being unused, therefore, the unused areas at Lone Point and Opossum Creek were converted to the more desirous recreational use of camping, with both tent and camper units. Additional campsites were added at Coon Creek and Lithia Springs. This supplement described the work and cost estimate of converting these picnic areas to camping use with support facilities. Supplement No. 9 was approved by LMVPD-R, 1st Endorsements, 9 November 1973.

b. Revised Master Plan - Supplements and letter.

The following is a brief summary of the eight reports that changed the revised documents:

(1) Supplement No. 1, 15 October 1975 proposed the upgrading of beach sanitary facilities at the Wilborn Access Area and the Okaw Bluff, Sullivan Beach Area to meet State of Illinois standards for recreation areas established as rules and regulations by the Illinois Department of Public Health. This Design Memorandum was approved by LMVCO in a 3rd Endorsement on 7 May 1976.

(2) Letter, LMSED-BR, this office, 7 April 1976, Subject: Request authority to rename the Sullivan Access area the Forrest W. "Bo" Wood Access Area in recognition of Mr. Wood's support for water resources projects of the

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Kaskaskia River, Illinois. Approval was granted by LMVPD-R in a 1st Endorsement 29 April 1976.

(3) Supplement No. 2, 23 July 1976, proposed the development of a Visitor Center in the East Access Area. This Design Memorandum was approved by LMVPD-R in a 3rd endorsement dated 14 January 1977.

(4) Supplement No. 3, Illinois Department of Conservation Recreation - Resource Development Plans, provided updated plans submitted by the Illinois Department of Conservation now known as the Illinois Department of Natural Resources, for recreation - resource development on public lands managed by the State of Illinois agency at Lake Shelbyville. This supplement was approved by LMVPD-R in a 1st Endorsement dated 23 November 1976.

(5) Supplement No. 4, 9 February 1979, purpose: To reallocate land uses presently assigned to portions of the projects' land area, determine the best use for those access areas returned to the Corps from the Illinois Department of Conservation, and to update all site plans to reflect their as-built condition. This supplement was approved by LMVPD-R, 1st Endorsement, 6 April 1979.

(6) Letter, LMSOD-R, this office, 26 July 1979, Subject: Upgrade Sanitation Facilities, Code 710 Program, Lake Shelbyville, Illinois. Approval was granted by LMVPD-R, 1st Endorsement, 31 August 1979.

(7) Supplement No. 5, 31 May 1984, purpose: to modify five comfort stations to include shower facilities at two camping areas, and to prepare a supplement to the Real Estate Design Memorandum that proposes acquisition of six right-of-entry easements to remote parcels of public land. This supplement was approved by LMVPD-R, 3rd Endorsement, 22 February 1985.

(8) Supplement No. 6, 19 February 1988, purpose: to remodel two comfort stations to provide shower facilities, replace four vault toilets with two water borne facilities, and to expand the existing parking area at a boat ramp. This supplement was approved by CELMV-PD-R, 1st Endorsement, 24 March 1988.

c. Shoreline Erosion Plan. These four documents provide for the protection of facilities from the shoreline erosion that is experienced at Lake Shelbyville.

(1) Letter Report, 11 May 1970, LMSED-PC, Lake Shelbyville, Illinois, Shoreline Erosion. This document recommended that shoreline protection be provided for areas where boat launching ramps were located and

for one cemetery. For the remainder of the reservoir area the report recommended that protection be deferred until it was considered necessary.

(2) Shoreline Erosion Management Plan and Environmental Assessment, July 1992, St. Louis District COE. This plan identified those areas that would need to be protected, relocated or removed due to the progress of the shoreline erosion on the lake. This report only covers those facilities that will be impacted within the next 30 years, continuing with the philosophy of the previous report of deferring protection until it is necessary. The time period was chosen because of practical concerns such as the life of the facilities and changes in facility needs. The facilities at Dam East, Dam West, Lithia Springs, and Okaw Bluff Recreation Areas along with Eagle Creek State Park, Fox Harbor Marina (now known as Sullivan Marina and Campground) and Findlay Marina are areas that were considered to be the first priority for protection, relocation or removal of facilities. Locations with lower priorities were Bo Wood, Lone Point, Coon Creek, Opossum Creek, Whitley Creek, Wolf Creek State Park, and Wilborn Creek. An environmental Finding of No Significant Impact (FONSI) was signed on these actions on 4 February 1992.

(3) Memorandum, CELMV-PD-R, 17 October 1991, Subject: Facility Impacts of Shoreline Erosion, Lake Shelbyville, Illinois. Requested that the costs in the Shoreline Erosion Report be reconciled, NED benefits reported, additional information of the riprap design was needed, and no new facilities can be added nor can facilities be upgraded as part of the shoreline erosion plan.

(4) Letter Report, Shoreline Erosion Plan, CELMS-OD-R, 29 January 1993. This report proposes a combination of revetment and relocation as a result of the shoreline erosion at Lake Shelbyville. This report contained detailed riprap designs and cost estimates for proceeding with the work outlined in the proceeding reports.

1-05. APPLICATION OF PUBLIC LAWS

Development and management of Federal reservoirs for various purposes is provided under several statutes. These laws cover development of recreation facilities, licensing of lake lands for fish and wildlife purposes, protection of natural resources, and leasing of public lands for incidental uses other than recreation.

a. Recreation. Development and management of recreation facilities at Department of Army constructed reservoirs by the Corps of Engineers, other governmental agencies, local groups, and individuals is authorized under the following public laws:

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(1) Section 4 of the Flood Control Act, approved 22 December 1944 (Public Law 534, 78th Congress), authorizes providing facilities for public use, including recreation and conservation of fish and wildlife.

(2) The River and Harbors Act, approved 2 March 1945 (Public Law 14, 79th Congress), specifies the rights and interests of the states in watershed development and water utilization and control, and the requirements for cooperation with state agencies in planning for flood control and navigation improvements.

(3) Section 209 of the Flood Control Act of 1954 (Public Law 83-780), approved 3 September 1954, amended the Flood Control Act of 1944. It authorized the Secretary of the Army to grant leases to federal, state or governmental agencies without monetary considerations for use and occupation of land and water areas under the jurisdiction of the Department of the Army for park and recreation purposes when in the public interest.

(4) The Land and Water Conservation Fund Act, approved 1 September 1964 (Public Law 578, 88th Congress, 78 Stat. 897), contains provisions by which the Corps of Engineers may charge for admission and use of its recreation areas under prescribed conditions.

(5) The Federal Water Project Recreation Act, approved 9 July 1965 (Public Law 72, 89th Congress, 79 Stat. 213) contains cost sharing provisions for acquisition of lands and development of recreation facilities for water resources projects authorized after 1965. It also provides for cost sharing development of new areas that were not part of initial project construction.

(6) The Architectural Barriers Act of 1968 (Public Law 90-480), together with the acts and amendments listed in 9, 10, and 11 below, provides information and guidance regarding universal accessibility for persons with disabilities to the Corps of Engineers recreation facilities and programs.

(7) The Rehabilitation Act of 1973 (Public Law 93-112) and the Rehabilitation Act Amendments of 1974 (Public Law 93-516). See Architectural Barriers Act above.

(8) The Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 (Public Law 95-602). See Architectural Barriers Act above.

(9) The Water Resource Development Act of 1986, Section 103 (c) (4) states that the non-Federal share of the costs assigned to recreation, is 50 percent of the separable costs, to be paid during the construction period. Non-Federal sponsors must also provide all LERRD assigned to the recreation purpose and perform all necessary relocations.

(10) The Americans with Disabilities Act of 1990 (Public Law 101-336). See Architectural Barriers Act above.

(11) The Water Resources Development Act of 1992, (PL 102-580) approved 31 October 1992 authorized the Challenge Cost Sharing Program (Section 225) that permits the Corps to develop and implement a program to accept contributions of funds, materials and services from non-Federal public and private entities to be used in managing recreation facilities and natural resources.

(12) The Omnibus Budget Reconciliation Act – Day Use Fees, approved 10 August 1993 (Public Law 103-66), contains provisions by which the Corps of Engineers may collect fees for the use of developed recreation sites and facilities, including campsites, swimming beaches, and boat launching ramps but excluding a site or facility which includes only a boat launch ramp and a courtesy dock.

(13) The Water Resources Development Act of 2000, (PL 106-541) approved 11 December 2000, Section 552 Watershed Management, Restoration and Development amended Section 503(d) of the Water Resources Development Act of 1996 by adding (29) Kaskaskia River Watershed, Illinois. The Corps may provide technical, planning, and design assistance to non-Federal interests for carrying out watershed management, restoration, and development projects. The non-Federal share of the cost of assistance provided will be 50 percent.

b. Fish and Wildlife. The fish and wildlife aspects of resource development were authorized under the following public laws:

(1) The Fish and Wildlife Coordination Act, enacted 10 March 1934, as amended 14 April 1946 (Public Law 732, 79th Congress, 48 State. 401), and 12 August 1958 (Public Law 624, 85th Congress, 72 State. 563), provides authority for making project lands of value for wildlife purposes available for management by interested federal and state wildlife agencies. It further provides for more effective integration of a fish and wildlife conservation program with federal water resources developments.

(2) The National Environmental Policy Act of 1969, as amended (42 USC 4321 et seq), declares a national environmental policy and requires that all federal agencies shall, to the fullest extent possible, use a systematic, interdisciplinary approach which integrates natural and social sciences and environmental design arts in planning and decision making.

(3) The Endangered Species Act of 1973 as amended (16 USC 1531 and 1536) requires that federal agencies shall, in consultation with the U.S. Fish

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and Wildlife Service (USFWS) or the National Marine Fisheries Service), use their authorities in furtherance of conserving endangered and threatened species and take such action as necessary to assure that their actions are not likely to jeopardize such species or destroy or modify their critical habitat.

(4) EO 12962, 7 June 1995, entitled Recreational Fisheries directs Federal agencies to improve the quantity, function, sustainable productivity, and distribution of U.S. aquatic resources for increased recreational fishing opportunities by means of a number of duties. In addition, it establishes a National Recreational Fisheries Coordination Council consisting of seven members (including one designated by the Secretary of Defense). The "Coordination Council" is charged with developing a comprehensive Recreational Fishery Resources Conservation Plan. This EO also directs all Federal agencies to identify and minimize conflicts between recreational fisheries and their responsibilities under the Endangered Species Act of 1973 and expands the role of the Sport Fishing and Boating Partnership Council.

(5) The Water Resource Development Act of 1986, Section 1135, provides for modifications in the structures or operations of a project, consistent with authorized project purposes to improve the quality of the environment, i.e. restoration of fish and wildlife habitat. WRDA 1996 amended Section 103 of WRDA 1986 by specifying that the non-federal share of environmental restoration and protection projects shall be 35 percent.

c. Forest Resources – Protection and Improvement of Natural Resources. The Forest Conservation Act (Public Law 717, 86th Congress, 74 Stat. 817) approved 6 September 1960, provides for the protection of forest cover in reservoir areas, and specifies that reservoir areas of projects for flood control, navigation, hydroelectric power development, and other related purposes, owned in fee and under the jurisdiction of the Secretary of the Army and the Chief of Engineers, shall be developed and maintained so as to encourage, promote and assure fully adequate and dependable future resources of readily available timber through sustained yield programs, reforestation, and accepted conservation practices, and to increase the value of such areas for conservation, recreation and other beneficial uses; provided, that such development and management shall be accomplished to the extent practicable and compatible with other uses of the project. The law further provides that in order to carry out the national policy declared in the first section of this Act, the Chief of Engineers, under the supervision of the Secretary of the Army, shall provide for the protection and development of forest or other vegetative cover and the establishment and maintenance of other conservation measures on reservoir areas under his or her jurisdiction, so as to yield the maximum benefit and otherwise improve such areas. Programs and policies developed pursuant to the preceding sentence shall be coordinated with the Secretary of Agriculture, and with appropriate state conservation agencies.

d. Other Incidental Uses. Title 10, United States Code, Section 2667, authorizes the lease of land at water resource projects for any commercial or private purpose not inconsistent with other authorized purposes, subject to specific restrictions thereupon, as set out in regulations, policy, and Delegations of Authority. Title 16, United States Code, Section 460d, authorizes use of public lands for any public purpose, including fish and wildlife, if it is in the public interest. Such uses are also subject to regulations, policy and Delegations of Authority. The use of project lands for easements and licenses is authorized in various Congressional Acts and codified in Titles 10, 16, 30, 32, and 43 of the United States Code. Lands and rights-of-way will be acquired pursuant to provisions of the Uniform Real Property Acquisition and Relocation Assistance Act of 1970, Public Law 91-646, as amended.

e. Cultural and Historical Considerations. A number of laws mandating the protection of cultural resources on public lands have been passed during the last century. These laws and Executive Orders are summarized in Appendix A of the St. Louis District Cultural Resource Management Policy (April 1982). The following laws subsume, clarify or supersede all previous cultural resource law:

(1) The Archeological Resources Protection Act of 1979 (16 USC 470 et seq.) consists of PL 96-95 (October 31, 1979) and amendments thereto. This law protects archaeological resources and sites that are on public lands and Indian land, and fosters increased cooperation and exchange of information between governmental authorities, the professional community, and private individuals.

(2) The 1980 Historic Preservation Amendment to the National Historic Preservation Act of 1966, Public Law 96-515, states a policy of preserving, restoring and maintaining cultural resources and requires that federal agencies take into account the effect of any undertaking on any site eligible for the National Register of Historic Places.

(3) The Archaeological and Historic Preservation Act of 1974 (16 USC 469 et seq.) (Reservoir Salvage Act, Public Law 86-532, 27 June 1960, as amended) provides for the preservation of historical and archaeological data that might otherwise be lost or destroyed as the result of flooding or any alteration of the terrain caused as a result of any federal construction projects.

f. Other Cultural / Historical Laws. The Native American Graves Protection and Repatriation Act (Public Law 101-601) 16 November 1990, requires federal agencies and museums to inventory human remains and associated funerary objects and to provide culturally affiliated tribes with the inventory of collection. The Act requires repatriation, on request, to the culturally affiliated tribes and establishes a grant program within the Department of the Interior to assist tribes in repatriation and to assist museums in preparing the inventories and collections summaries.

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(1) Public Law 95-341, "American Indian Religious Freedom Act", (Aug. 11, 1978) 42 USC Sect.1996, as amended 1994. As stated in the implementing guidance, Chapter 6 of ER and EP 1130-2-540, the Commander shall consult with affected tribes, groups or individuals regarding appropriate action for project effect upon sacred sites, important to the practice of Native American religion.

(2) Public Law 103-141, "Religious Freedom Restoration Act of 1993", 42 USC 2000bb. The purposes of this chapter are to guarantee application of the compelling interest test in all cases where free exercise of religion is substantially burdened; and (2) to provide a claim or defense to persons whose religious exercise is substantially burdened by government. The compelling interest test, as set forth in prior Federal court rulings is a workable test for striking sensible balances between religious liberty and competing prior governmental interests.

(3) Executive Order 13007, "Indian Sacred Sites" of May 24, 1996 (61 FR 26771-26772) Executive branch agencies are ordered to the extent practicable, permitted by law, and not clearly inconsistent with essential agency functions, shall accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites. Where appropriate the agency shall maintain the confidentiality of sacred sites.

(4) 36 CFR 79 "Curation of Federally-Owned and Administered Archeological Collections," 1990. A regulation governing the Federal Archeology Program that establish definitions, standards, procedures and guidelines to be followed by Federal agencies to preserve collections of prehistoric and historic material remains, and associated records, recovered under the authority of the Antiquities Act (16 U.S.C. 431- 433), the Reservoir Salvage Act (16 U.S.C. 469-469c), a section of the National Historic Preservation Act (16 U.S.C. 470h-2) or the Archaeological Resources Protection Act (16 U.S.C. 470aa-mm).

(5) 48 FR 44716-44742 "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation," 1983. These standards and guidelines are not regulatory and do not set or interpret agency policy. They are intended to provide technical advice about archeological and historic preservation activities and methods.

(6) Executive Order 13287, "Preserve America", 4 Mar 2003 states it is the policy of the Federal Government to provide leadership in preserving America's heritage by actively advancing the protection, enhancement, and contemporary use of historic properties owned by the Federal Government, and by promoting intergovernmental cooperation and partnerships for the preservation and use of historic properties.

1-06. SCOPE OF REPORT

This report is the fourth update of the revised Lake Shelbyville Master Plan. It is primarily oriented to reflect current conditions and to eliminate outdated information concerning the allocation of project resources. Based on the computation of facility needs, the current level of development is considered adequate for the foreseeable future; however, some facilities are not to today's acceptable standards for recreational facilities. Consideration must be given to meeting today's standards for safety, accessibility, and design to maintain a facility that is current. This update of previously submitted materials reflects the status of the project at this time, the status of any proposed plans, and the status of all land use allocation. This Master Plan, by reference, includes the Letter Report, Lake Shelbyville, Illinois, Shoreline Erosion and all actions taken pursuant to that action. This report complies with and reflects the Environmental Impact Statement for Operation and Maintenance of Lake Shelbyville.

1-07. MISSION STATEMENT

While Lake Shelbyville is managed and operated by the Corps of Engineers for the purposes of flood control, recreation, water supply, navigation, and fish and wildlife conservation; programs and activities related to environmental stewardship and the Natural Resources Management Program have as their design base the following Corps of Engineers Civil Works mission statement:

"The US Army Corps of Engineers is the steward of lands and waters at Corps of Engineers water resources projects. Its Natural Resources Management Mission is to manage and conserve those natural resources, consistent with ecosystem management principles, while providing quality public outdoor recreation experiences to serve the needs of present and future generations.

In all aspects of natural and cultural resources management, the Corps of Engineers promotes awareness of environmental values and adheres to sound environmental stewardship, protection, compliance, and restoration practices.

The Corps of Engineers manages for long-term public access to, and use of, the natural resources in cooperation with other federal, state, and local agencies as well as the private sector.

The Corps of Engineers integrates the management of diverse natural resource components such as fish, wildlife, forest, wetlands, grasslands, soils, air and water with the provision of public recreation opportunities. The Corps of Engineers conserves natural resources and provides public recreation opportunities that contribute to the quality of American life."