

SHORELINE MANAGEMENT PLAN

**Mississippi River
Nine-Foot Channel
Navigation Project**

RIVERS PROJECT

**Mississippi River from Pool 24 to Chain of Rocks Canal
& Illinois River from LaGrange Lock & Dam to Grafton, IL**

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US Army Corps of Engineers
St. Louis District

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I. Introduction

This plan represents the St. Louis District's policy concerning use of Corps shoreline for Mississippi River from Saverton, Missouri to Chain of Rocks Canal, Granite City, Illinois and the Illinois River from LaGrange to Grafton, Illinois. This plan becomes effective upon approval by the Division Engineer, Mississippi Valley Division, U.S. Army Corps of Engineers. It is prepared in accordance with 36 CFR Part 327.30, Shoreline Management on Civil Works Projects, effective July 27, 1990.

- A. Purpose. The purpose of this Shoreline Management Plan is to furnish guidance for the management, protection, and preservation of the natural resources of the U.S. Army Corps of Engineers fee title lands along the Mississippi and Illinois River while allowing a balanced use of the shoreline.

This plan discusses the conditions and restrictions of private shoreline use(s) along Corps lands. The term private shoreline use involves placing private structures or pursuing certain activities along Corps owned shorelines that are limited to the individual or small group and not available to the general public. Examples of such use include, but are not limited to: boat docks and piers, floating facilities, fencing, signing, landscaping, vegetation modification, etc.

- B. Scope. This plan will establish and implement a policy governing the private shoreline use of fee title lands and adjacent waters of the St. Louis District, Rivers Project Office. The policy will cover the Project geographical area from Saverton, Missouri to the Chain of Rocks Canal, Granite City, Illinois on the Mississippi River and LaGrange, Illinois to Grafton, Illinois on the Illinois River.

This plan does not apply to existing Corps administered commercial marinas, industrial leases, or public access areas. Private shoreline use at leased recreational cottage sites will be allowed as part of the individual recreational cottage lease requirements. This plan will not exempt any provisions or guidelines of the individual recreational cottage lease. However, general guidelines that protect the public shoreline shall apply to recreational cottages and also navigation activities.

- C. References/Authorities.

1. The Water Resources Development Act of 1986 [Public Law 99-662, Section 1134(d)].
2. U.S. Army Corps of Engineers, Mississippi Valley Division Regulation 405-3, Special Use Licenses, dated July 13, 1964.
3. U.S. Army Corps of Engineers, Lower Mississippi Valley Division, Private Exclusive Use at Corps of Engineers Civil Works Projects (Regional Plans), October 1989.
4. U.S. Army Corps of Engineers, St. Louis District, Rivers Project Master Plan, 2001 and 2014
5. U.S. Army Corps of Engineers, Engineering Regulation 405-1-12, Chapter 8, Real Estate Handbook, November 20, 1985 revised May 15, 2000.

6. U.S. Army Corps of Engineers, Engineering Regulation 1130-2-406, Project Operation - Shoreline Management at Civil Works Projects, dated October 31, 1990 revised May 28, 1999.
7. U.S. Army Corps of Engineers, Engineering Regulation 1130-2-550, Project Operations - Environmental Stewardship Operations and Maintenance Policies, dated November 15, 1996 revised August 11, 2008.
8. U.S. Army Corps of Engineers, Engineering Pamphlet 1130-2-550, Project Operations - Environmental Stewardship Operations and Maintenance Policies, dated November 15, 1996 revised August 11, 2008.
9. National Historic Preservation Act of 1966 (P.L. 89-665; 80 Stat. 915) as amended (16 U.S.C. 470 et seq.).
10. The National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.).
11. Section 10, Rivers and Harbors Act of March 3, 1899.
12. Section 404, Clean Water Act (33 USC 1344, et seq.).
13. Title 36, Chapter III, Part 327, Code of Federal Regulations, Rules and Regulations Governing Public Use of Corps of Engineers Water Resources Development Projects.
14. Title 36, Code of Federal Regulations, Part 327.30, Shoreline Management at Civil Works Projects.
15. Title 36, Code of Federal Regulations, Part 327.31, Shoreline Management Fee Schedule.
16. Engineering Manual 385-1-1, Safety and Health Requirements Manual.

D. Policy. It is the policy of the Chief of Engineers to protect and manage shorelines of all Civil Works water resource development projects under Corps 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 will be to achieve a balance between permitted private uses and resource protection for general public use. Public pedestrian access to and exit from these shorelines shall be preserved. For projects or portions of projects where Federal real estate interest is limited to easement title only, management actions will be appropriate within the limits of the estate acquired.

Currently the Rivers Project office only administers eight (8) individual private shoreline use permits on government lands. These are for private dock structures that were established before the St. Louis District 1990 Shoreline Management Plan. All eight of these are located in Pool 25 of the Mississippi River. No additional private shoreline use structures will be allowed in accordance with guidance currently in effect. Therefore it is the policy of this plan that:

1. Existing permits for authorized shoreline use and activities will be continued within certain limitations.
2. Modification or replacement of existing structures to a valid permit may be allowed within certain limitations. (Recreational cottage sites are limited to the 20% expansion policy as stated in the recreational cottage site lease agreement.)
3. No new permits for private shoreline use structures (where they did not previously exist) will be issued. New permits for recreational structures and activities will only be allowed if they serve the general public.

4. All unauthorized structures or activities will be removed from Corps administered lands.

Each of these four policy statements is subject to the provisions and intent of this plan.

II. Previous Plans

The St. Louis District developed a Shoreline Management Policy in 1990 that was approved by the St. Louis District Engineer. Previous policies to that included the St. Louis District Policy on Lake Shoreline Private Use Facilities, dated 20 February 1975; St. Louis District Policy on Special Use Mowing Permits, dated 4 October 1982, and related documents.

The 1990 policy stated private docks at the Rivers Project Area that were established prior to the 1990 policy were grand-fathered via an interim policy pending the development and approval of a specific Shoreline Management Plans.

The interim policy stated that:

- * Existing and new shoreline facilities for Cabin Lease holders will be covered under the lease instrument.
- * With the exception of cabin lease holders, no new facilities will be approved, permitted or constructed until a Shoreline Management Plan has been developed and approved for the Mississippi and Illinois Rivers.
- * All existing facilities will be "grandfathered" until a Shoreline Management Plan has been developed and approved.

The interim policy has been used to guide the Project's management until this detailed plan could be formulated and approved.

III. Public and Agency Involvement

This plan was developed concurrent to the Rivers Project Master Plan update (2014), which included public and agency review at the same time. Project representatives worked with agency representatives of the U.S. Fish and Wildlife Service and the Illinois Department of Natural Resources and the Missouri Department of Conservation to coordinate their involvement.

The public and agency involvement process included a public open house on April 16, 2014 and a 30 day public and agency final review period that began on March 25, 2014 and commenced on April 25, 2014.

All public and agency comments were considered, evaluated and included as part of this plan before finalization.

IV. Definitions

For the purposes of this plan, the following terms are explained:

- A. Shoreline: A strip of Corps fee title land and water that extends 100 feet waterward from the ordinary high water mark, and from there 300 feet landward or to the Corps fee title boundary line, whichever is less.
- B. Private Shoreline Use: Any use by an individual or group of individuals for more than 14 consecutive days that deters use of Corps fee title lands and waters by the general public. The use may be through a structure or an activity.
- C. Private Recreational Structures: A privately owned and maintained recreational structure on Corps-owned shoreline intended primarily for individual or limited group use. This does not apply to structures intended for general public or commercial use.
- D. Private Dock: One type of private recreational structure which has a pier-like platform, open and without sides, extending from Corps-owned shorelines in or over waters of the Mississippi or Illinois River, that is used to secure, protect, and provide private access.
- E. Structure: Private recreational structures which may include boat docks, steps, or other structures which are discussed in this plan.
- F. Shoreline Use Permit: An instrument issued by the Rivers Project Manager or his/her designee that authorizes certain private shoreline structures/activities on Corps fee title lands and waters to a single individual and their spouse.
- G. Department of the Army Permit: An instrument used to authorize structures or work in or affecting navigable waters and/or the discharge of dredged or fill material into waters of the United States *regardless* of land ownership.
- H. Fleeting: When barges are not in use for hauling commodities they are sometimes temporarily “parked” along the river shoreline, which is known as fleeting. Fleeting areas are analogous to railroad yards where cars are temporarily stored and trains are assembled and disassembled. Fleeting occurs on private as well as public land.
- I. Unauthorized Structure: The construction, placement, or existence of any structure (including, but not limited to: roads, trails, signs, non-portable hunting blinds, buoys, docks, or landscape features) of any kind under, upon, in or over Project lands, or waters is prohibited unless a shoreline use permit has been issued. The design, construction, placement, existence or use of structures in violation of the terms of the issued permit is prohibited. The Corps shall not be liable for the loss of, or damage to, any private structures, whether authorized or not, placed on Project lands or waters. Unauthorized structures are subject to summary removal or impoundment by the District Commander, or delegated representative.

V. Shoreline Allocation

The entire Corps fee title shorelines of the Upper Mississippi River from Saverton, Missouri to Chain of Rocks Canal, Granite City, Illinois and the Illinois River from LaGrange to Grafton, Illinois, will be allocated within one of the four classifications listed below. Any action, within the context of this regulation, which gives a special privilege to an individual or group of individuals on land or water at a Corps project, that precludes use of those lands and waters by the general public, is considered to be private shoreline use. Shoreline allocations cover that land and/or water extending from the edge of the water and waterward with the exception of allocations for the purpose of vegetation modification which extends landward to the project boundary. These allocations compliment the land classifications in the Rivers Project Master Plan.

- A. Limited Development Areas. Those areas in which private facilities and/or activities may be allowed. Modification of vegetation by individuals may be allowed only following the issuance of a shoreline use permit.
- B. Public Recreational Areas. Those areas designated for commercial concessionaire facilities, Federal, state or other similar public use. No private shoreline use facilities and/or activities will be permitted within or near designated or developed public recreation areas. The term “near” depends on the terrain, road system, and other local conditions, so actual distances must be established on a case by case basis. No modification of land forms or vegetation by private individuals or groups of individuals is permitted in public recreation areas.
- C. Protected Shoreline Areas. Those areas designated to maintain or restore aesthetic, fish and wildlife, cultural, or other environmental values. Shoreline may also be so designated to prevent development in areas that are subject to excessive siltation, erosion, rapid dewatering or exposure to high wind, wave, or current action and/or in areas in which development would interfere with navigation. No Shoreline Use Permits for floating or fixed recreation facilities will be allowed in protected areas.
- D. Prohibited Access Areas. Those in which public access is not allowed or is restricted for health, safety or security reasons. These could include hazardous areas near dams, spillways, hydro-electric power stations, work areas, water intake structures, etc. No shoreline use permits will be issued in Prohibited Access Areas.
- E. Exceptions.

In order to assure effective management of project resources and to be reasonable regarding adjacent property owners, the following are to be exceptions to this policy.

1. Roadway and Levee Mowing. Shoreline use permits may be issued to adjacent landowners or their lessees for mowing roadways and levee berms adjacent to private residences. Areas for consideration must be currently mowed by the Corps or other government entity for purposes relating to safety, erosion control or maintenance. In order to prevent soil erosion, no permits will be issued for mowing levee slopes for recreational purposes.

2. Mowing of Adjacent Lands. In order to alleviate problems associated with fire hazard to private homes located on adjacent lands and constructed prior to acquisition of federal property, shoreline use permits may be issued on an annual basis to adjacent landowners or their lessees for mowing public lands within 100 feet of the residences in question. Mowing will not encroach on a buffer extending 50 feet from the water's edge of the ordinary high water mark (OHW).

VI. Existing Shoreline Use on Project lands

Currently the Rivers Project office only administers eight (8) individual private shoreline use permits on government lands. These are for private dock structures that were established before the St. Louis District 1990 Shoreline Management Plan. All eight of these are located in Pool 25 of the Mississippi River.

Permits for these existing structures will be renewed only to allow the continuation of those site-specific, individual cases of private shoreline use which are currently authorized and exist as of the date of the approval of this plan. No new permits will be issued nearby or in proximity to these specific cases.

An existing permit authorizing specific structures/activities becomes null and void upon the sale of legal ownership. The new owner will not be allowed to continue this private exclusive shoreline use and all structures must be removed from Corps fee title lands and waters.

Exempted Existing Structures. A few areas within Corps fee title lands and waters having private exclusive use structures or activities are exempt from Corps issued shoreline use permits. Any changes or additions to structures, vegetation maintenance (mowing, herbicide use, etc), shoreline revetment, etc will be assessed on a case by case basis. The areas exempt are listed below:

1. Commercial Leases. This includes commercial concession leases (e.g. marinas, ferry landings, etc.), which area covered under separate real estate instruments.
2. Industrial Lease Areas. These areas are covered under a separate real estate instrument. Rivers Project is currently phasing out industrial leases, through land exchanges which will eliminate all private exclusive use within this type of area and better support public interests.
3. Park & Recreational Leases. These lease areas are open to the general public. Examples of these leases include IL Department of Natural Resources lease for Piasa Creek Access Area and Village of Batchtown's lease for Cockrell Hollow Access Area.
4. Minor Outgrants (i.e. Easements, Licenses, Leases, etc.). These include overhead power lines, buried lines, pipelines, etc. These areas are covered under separate real estate instruments.

5. Cooperative Agreement Lands. These lands are administered by the USFWS, IDNR or MDC through a cooperative agreement and general plan between the USFWS and the Corps. Structures and shoreline use within these areas will be considered on a case by case basis and will be coordinated amongst all the cooperative agreement agencies.

VII. Shoreline Use Permit Requirements

- A. Shoreline Use Permit. Shoreline use permits will be required for private recreational structures (primarily boat docks and other water-based features). Vegetative modification activities on Project lands may be authorized under a shoreline use permit provided they do not disrupt or change the land form. Vegetative modifications that would create or exacerbate erosion or invasive species problems will not be allowed. Vegetative modification includes planting, trimming, cutting, or use of herbicides. Prior to vegetative modification, a shoreline use permit will be issued which outlines the conditions of any such work.

Ecological impacts need to be considered prior to shoreline rehabilitation/erosion control measures are taken. Alternatives to shoreline revetment should be explored prior to any work being completed and/or permit issuance.

- B. Department of the Army Permits. Any structure (e.g. boat dock) or work in or affecting navigable waters of the United States requires a Section 10 permit under the authority of the Rivers and Harbors Act. Any discharge of dredged or fill material into waters or wetlands of the United States requires a permit authorized under Section 404 of the Clean Water Act. If a proposal involves work subject to both section 10 and Section 404 jurisdiction, a single Department of the Army Permit will be considered. Conditions of the Department of the Army Permit will be provided upon its issuance.
- C. State and Local Requirements. In addition to the Corps issued permits mentioned above, it may be necessary to obtain additional permits as required by State and local law for the construction, operation, or maintenance of the allowed structures. Laws and regulations of State and local governments apply to actions taken along Corps shorelines. Compliance with these rules will be a condition of Corps issued permits. It is the permittees responsibility to ensure that they are in compliance with State and local laws.

VIII. Shoreline Use Permit Applications

The Corps must grant permission prior to the start of any construction and/or replacement or modification of any existing structures or any other actions as defined in this plan.

To request review of a proposal and approval, a written request must be submitted to the Rivers Project Office, ATTN: Shoreline Management Ranger, 301 Riverlands Way, West Alton, MO 63386. The requestor may be required to complete an application packet and provide all information as requested to allow the Shoreline Management Ranger to make a comprehensive

review. If this review determines that the request is compatible with the provisions of this plan, all necessary permits will be processed and provided to the applicant. Replacement or modification of any existing structures or the construction of any private structures will not be allowed until the applicant has been issued all the necessary Corps permits.

Obtaining Corps authorizations does not preclude the need for the applicant to obtain any or all other necessary Federal, State and local authorizations. If the Corps application is denied, copies of the denial will be furnished to the applicant and any other involved entities.

IX. Permit Fees

Fees associated with the Shoreline Use Permit shall be paid prior to issuing a new permit. Shoreline Use Permits will normally be issued for a five year term. Permits can be suspended or revoked by the Shoreline Manager at any time for failure to pay renewal fees. A non-refundable administrative fee may be charged for Shoreline Use Permits and Real Estate Outgrants. A schedule of current fees for activities mentioned in this plan can be made available by submitting a written request to the Rivers Project Office, ATTN: Shoreline Mangement Ranger, 301 Riverlands Way, West Alton, MO 63386

X. Conditions of Shoreline Use Permit

- A. Density and Design Criteria. Size, spacing, and design criteria will be applicable to all replacement, or modified boat docks.

Replacement, or modified docks will be required to be no less than 3 feet nor more than 6 feet in width, no closer than 50 feet to the next dock, and will extend no more than 100 feet from the ordinary high water mark. Variably shaped docks are authorized; provided that no portion of the dock exceeds 16.5 feet in dimension and that the total dock surface area does not exceed 600 square feet. Variance from these criteria may be authorized after consideration of the site-specific circumstances by the Shoreline Manager or his/her designee. All existing structures which are authorized by a currently valid permit will be exempted from conforming to the density and design criteria until such time as the structure requires replacement or modification. To be allowed, all replacement or modified structures must conform to the density and design criteria. At the discretion of the District Engineer or his representative, docks that pose an obstruction or a hazard to navigation will not be allowed, regardless of size or spacing.

- B. Construction Standards. The following construction standards apply to replacement and modified structures of any type:
1. Structures must be constructed in accordance with the plans and specifications approved by Rivers Project representative(s).
 2. All docks must be securely anchored in place using posts, deadman, or other suitable means. Altering the natural terrain or vegetation, anchoring to trees, or obstructing general public use of the shoreline will not be allowed.
 3. Electrical installations must be weatherproof and meet all current applicable electric codes and regulations. In addition, electrical installations must be certified

in writing by a state registered electrician. The written certification must be submitted to the Corps upon request.

4. Boat mooring bouys and dock flotation units shall be constructed of materials that are clean and free of pollutants and will not become waterlogged or sink when punctured. Flotation units and devices must be composed of low density, closed cell, rigid plastic foam. Flotation units of any type will not be allowed unless filled with flotation foam. Pesticide and other harmful containers will not be allowed.
 5. Only quick-disconnect temporary electric lines, waterlines, and telephone lines to the vessel will be allowed. No permanent utility hookups will be allowed.
 6. Installation of structures conducive to human habitation such as sleeping accommodations, cooking facilities, heating facilities, toilet or shower facilities, refrigeration, television, etc., are prohibited.
- C. Habitation. No structure shall be used for human habitation. The presence of facilities conducive to human habitation will be treated as presumptive evidence of such use and will be cause for termination of the permit.
- D. Pesticide Use. If the permit authorizes the use of an “approved” pesticide, the permittee should submit a report to the Rivers Project Office by the end of October. The report must identify the type of pesticide used, quantity used, location used, targeted species, and mode of application. Issued permit will include a list of “approved” pesticides and mode of application. Pesticides used without authorization on permit or pesticides other than those listed on the “approved” list may result in the termination of the shoreline use permit.
- E. Posting of Permits. The Rivers Project Office will provide each permittee with a printed permit tags of light metal or plastic for posting. The permit display tag shall be posted on the facility and/or on the land area covered by the permit, so that it can be visually checked, with ease in accordance with instructions provided by Shoreline Manager. Facilities or activities permitted under special provisions should be identified in a way that will set them apart from other facilities or activities.

XI. Duration and Renewal

All permits are nontransferable and become null and void upon the sale of legal ownership or the death of the permittee and his/her legal spouse.

Permits will be renewed for periods of 1 to 5 years. The Rivers Project Office will send existing permittees a renewal notice to their permanent address informing them of the upcoming renewal. Prior to the expiration of the permit, the holder will be required to submit a renewal application to continue authorized use of the site.

XII. Compliance and Termination

- A. Compliance. Corps representatives will periodically inspect structures/activities to ensure compliance with the terms of the permit during construction. In the event that the construction does not conform to approved plans or permit conditions, the work will be halted until such time as the terms are met.

Corps representatives will also periodically inspect structures/activities during the life of the shoreline use permit period to ensure compliance with the terms of the permit. If use is does not conform to the permit conditions, use will be halted until such time as the terms are met.

Noncompliance with the terms of the permit may result in termination.

- B. Facility Maintenance. Authorized structures must be operated, used, and maintained in a safe, healthful condition at all times. If determined to be unsafe, the hazard will be corrected within 60 days or removed at the owner's expense. If the hazard is not corrected or removed within that timeframe, termination of the permit will result.
- C. Termination. Permits may be terminated when it is determined that the public interest requires such termination or when the owner fails to comply with the terms and conditions of the permit. Failure to maintain a permitted structure is a violation of the terms.

The Rivers Project Manager or his representative may terminate a permit authorizing existing structures and/or activities if one of the following conditions occurs:

1. A structure is not in a usable and safe condition;
2. A structure poses a threat to life or property;
3. The holder of the permit violates the terms of the permit; or
4. The site of the structure/activity is needed for immediate use for public purposes or higher public use.

Whenever a permit is terminated by the Corps for one of these four reasons, or the holder voluntarily relinquishes the permit, or the holder/spouse both die prior to sale, the continuation of authorized private use ceases and the permit will never be reissued. In addition, the holder of the permit is required, upon termination/relinquishing to remove the structures from the area.

Upon termination, the permittee must remove the structure(s) within 30 days at his/her expense and restore the shoreline to a condition acceptable to the Corps representative. If the permittee fails to comply with the satisfaction of the Corps representative, the structure may be removed by the Corps and the permittee held responsible for all costs incurred.

If a permit is revoked and the unsafe and dilapidated dock has to be removed by the government, the permittee must reimburse the government for all removal costs. If such case occurs, the permit will never be reinstated or reissued.

- D. Appeal Rights. Upon notice of termination, the permittee will have thirty (30) days to make a written request for a hearing. The District Engineer will grant the request at the earliest possible convenience. After the hearing, a final decision will be rendered in writing and mailed to the permittee by certified mail.
- E. Emergency Termination. If, in the opinion of the District Engineer, emergency circumstances dictate otherwise, the District Engineer may summarily terminate the permit.
- F. Unauthorized Structures. Only structures authorized by a permit will be allowed to remain on Corps shorelines. Any unauthorized use or structures will be considered an encroachment on public property under the authority of Title 36 Chapter III, Part 327.20, Code of Federal Regulations. Violations may result in the issuance of a citation requiring the payment of a fine and/or appearance before the U.S. Magistrate and/or revocation of all or part of the Shoreline Use Permit.

All unauthorized structures and private items shall be removed from government property within thirty days of written notice. Trash, litter, and debris shall be removed immediately upon verbal or written notice. Prohibited items are subject to impoundment and removal by the Corps at the owner's expense.

Prohibited items include, but are not limited to:

- a. Non-permitted structures including but not limited to: boat docks, patios, fences, sidewalks, buildings, portable bathrooms, sheds, satellite dish antennas, playground equipment, planters, etc. that have not obtained a Corps shoreline use permit.
- b. Gardens and orchards.
- c. The spreading of sand, gravel or any other material to construct a beach or private access ramp.
- d. The storage of any object including but not limited to, hazardous waste, firewood, boats, trailers, grills, trash cans, scrap material, pet houses and pens, etc.
- e. The disposal of litter, leaves, trash, or any other debris or waste.
- f. Waterfowl hunting blinds located outside of State authorized waterfowl hunting areas.
- g. Privately owned buoys placed on public waters.

XIII. Destruction of Government Property

Restitution for damages to government property may be pursued in the form of replanting and/or monetary payments and/or the current Shoreline Use Permit may be revoked and all private facilities removed from public property at the owner's expense. Additionally, the shoreline use permit will never be issued again for the affected area.

In instances where vegetation has been damaged, destroyed, altered or removed from public property without prior approval, the amount of restitution will be determined based on the International Society of Arboriculture's (ISA) Guide for Plant Appraisal by applying the Trunk Formula and/or Replacement Cost Method to assess an appraisal to determine the dollar value as a result of the destruction of vegetation on public property. The permittee may have an

independent appraisal conducted by an individual trained in the use of ISA's Guide for Plant Appraisal if they choose.

Additional fines may occur as determined by other Federal, state or local authorities as guided by other Federal, state or local laws and statutes.

XIV. Enforcement

The provisions contained within this plan are supported by the authorities and statutes indicated in Section I.C. A violation of these mandates will be subject to enforcement under Title 36, Chapter III, Part 327, Code of Federal Regulations, or other civil laws, as necessary.

The U.S. Army Corps of Engineers has implemented a property protection program known as "CORPS WATCH", which was developed to reduce vandalism, larceny, arson and environmental and cultural degradation of government property. This program utilizes a toll free hotline (1-866-413-7970) and provides cash rewards of \$100 to \$1,000 to individuals whose information leads to the arrest and prosecution of offenders. The call center is available 24 hours a day 7 days a week and callers can remain anonymous.

XV. Other Shoreline Use Activities on Project Lands

Other shoreline use not regulated by this policy and administered under other legal policies, leases or arrangements include but are not limited to; recreational cottages and appurtenance docks, waterfowl hunting blinds, and fleeting.

These activities, although not specifically directed by this policy, shall seek to meet the goals of protecting the project shoreline under Corps 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 shall be to achieve a balance between private uses and resource protection for general public use.

A. Recreational Cottages.

Private exclusive use will only be allowed to continue within the recreational cottage sites where it existed as of the date of the approval of the Rivers Project Master Plan. In most cases this is boat docks, shoreline revetment, and/or vegetation modification along Corps fee title shoreline.

The existing structure(s) will be exempted from conforming to the density and design criteria *until* such time as the structure requires replacement or modification. Any structure (boat docks included) on the recreational cottage sites are subject to the real estate issued 20% expansion policy as stated in the recreational cottage lease. Upon these conditions, all replacement, modified, or new structures must conform to the density and design criteria (see Section X), as well as the expansion policy, to be allowed.

Upon sale of the private recreational cottage and associated structure(s), the new owners of existing structures will be allowed to continue the structures or activities designated use, as long as the lease guidelines for transfer are followed. If the new owner wishes to

add structure(s) or replace or modify existing structures, permission must be granted prior to any work. As stated above, all replacement, modified, or new structures must meet the density and design criteria (see Section X), as well as the expansion policy, to be allowed.

Vegetation modification (including mowing) of recreational cottage lots outside of lease area is strictly prohibited.

All requests for modifications to recreational site lease areas, including but not limited to boat docks, revetment, walkways, vegetation modification, etc. shall be made in writing to U.S. Army Corps of Engineers, ATTN: Chief, Real Estate Division, 1222 Spruce Street, St. Louis, MO 63103.

B. Fleeting

From 1983 to 1985, a shoreline fleeting study was conducted in an effort to identify private commercial navigation fleeting zones on the Mississippi River portion of Pool 26 only. The public was involved in formulating this fleeting plan. A final plan was submitted to Lower Mississippi Valley Division (LMVD) in 1985 for approval. However, this plan was never formally approved. This plan did not address issuance of permits for private exclusive use structures.

Currently the only authorized fleeting on Corps fee title shoreline is in areas where commercial real estate leases exist (i.e. Ameren Power Plant, St. Charles, Co., MO; America's Central Port District, Madison Co., IL). All fleeting within lease areas shall comply with the terms of the real estate lease.

No fleeting, other than on approved lease areas, is permitted or shall occur along Corps fee title shorelines.

- C. Waterfowl Blinds. Both the states of Illinois and Missouri allow for waterfowl blind construction on Corps lands within designated areas of conservation areas managed through a cooperative agreement with the Corps and the U.S. Fish and Wildlife Service. Permanent waterfowl blinds within these state managed hunting areas will not have shoreline use permits issued by the Rivers Projects, as they are permitted under separate arrangements. Permanent waterfowl blind structures are NOT allowed outside of the state managed waterfowl hunting areas and will be treated as unauthorized structures when located off of designated hunting areas. Waterfowl hunting is allowed from temporary blinds or boat blinds along some of the Corps fee title lands, outside of the U.S. Fish & Wildlife and state managed areas.

State managed waterfowl hunting regulations areas differ in Illinois and Missouri. It is the hunter's responsibility to know the state and/or area regulations of the hunting area. States regulations at the time this plan was prepared are stated below:

1. Illinois Department of Natural Resource Waterfowl Blind Regulations.
Waterfowl hunting is only allowed from allocated waterfowl blind sites, walk-in

areas at specific managed areas, and open hunting from portable blinds or anchored boats west of Denmark Island within Pool 24.

Waterfowl blind sites are allocated by public drawing for a three-year period within Pool 25 and 26 locations. Waterfowl blind sites are allocated by public drawing for a two-year period within Pool 24 locations. At Horseshoe Lake State Park (Madison County) all hunting will be from registered blinds only. Waterfowl blinds must be built to site specifications and maintained in a safe usable condition. Blind builders are re-registered annually and blinds not registered and/or not constructed are re-allocated. All waterfowl hunting within managed areas must be done from within a staked and registered waterfowl blind.

Red's Landing, RipRap Landing, Turner Island, Kelly Island, and 12 Mile Island have some designated walk-in hunting areas. No permanent waterfowl structures are allowed within these walk-in hunting areas. Other site restrictions apply.

In Pool 24, west of Denmark Island (Mississippi River Mile 291.0-294.5), waterfowl hunting is allowed from portable blinds or anchored boats. This is allowed **only** in Illinois waters and if maintaining at least 200 yards intervals.

2. Missouri Department of Conservation Waterfowl Blind Regulations. Waterfowl hunting on the Upper Mississippi Conservation Area is by one of two designations: Open or Restricted.
 - i. **Open Areas:** Blinds may be constructed without site restrictions but they may not be locked. Blinds unoccupied at one-half hour before legal shooting time may be used by the first hunter to arrive. No structures other than blinds, boat concealments and decoy lockers are permitted.

Open areas include: Mason Island and the 215 Mile Group; Dardenne and Bolter Islands; Westport and Sterling Islands; Gilbert, Blackbird, North and South Fritz, Ducher, and Angle Island.
 - ii. **In Restricted** portions of Upper Mississippi Conservation Area waterfowl may be hunted only from blinds at designated blind sites during the regular duck and Canada goose seasons. During the late Canada goose season and light goose conservation order hunters may hunt from blinds at designated blind sites or from boat blinds within 10 yards of a blind site marker only if blinds and blind sites are unoccupied at one-half hour before legal shooting time. These restrictions do not apply during early teal and early Canada goose seasons due to the fact that some blinds may not be completed by that time.

Restricted areas include: Dresser Island, river pool portion of West Alton, Stag Island Group, and Pharrs Island.