Operational Management Plan

Wappapello Lake

Part D of Section II to Park Management Plan

Shoreline Management Plan

US Army Corps of Engineers
St. Louis District

WAPPAPELLO LAKE

ST. FRANCIS RIVER

Part D, Section II
Operational Management Plan

SHORELINE MANAGEMENT PLAN

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WAPPAPELLO LAKE
ST. FRANCIS RIVER

PART D, SECTION II
OPERATIONAL MANAGEMENT PLAN

SHORELINE MANAGEMENT PLAN

SECTION I

Introduction

1.1 Purpose. The purpose of the Shoreline Management Plan (SMP) is to establish policy and guidance for the protection of the environmental features on public property managed as Wappapello Lake and for the restoration of shorelines where degradation has occurred.

1.2 Authority. The authority to administer this SMP is granted under Title 36, Chapter III, Part 327, Code of Federal Regulations. This Shoreline Management Plan was originally prepared as Appendix F to the Master Plan for Development and Management of ER 1130-2-406, dated 13 December 1974. It is being updated in accordance with ER 1130-2-406 dated 31 October 1990, with update 28 May 1999, and with the current update of the Wappapello Lake Master Plan. It will become Part D of Section II, Park Management, of the Wappapello Lake Operational Management Plan.

1.3 References.

a. Section 4, 1944 Flood Control Act, as amended, PL 87-874.

b. The Flood Control Act of 31 August 1951 (31 USC 483a).

c. The National Environmental Policy Act of 1969, PL 91-190.

d. The Federal Water Pollution Control Act of 1972 (FWPCA).

e. Title 36, Chapter 111, Part 327, Code of Federal Regulations, "Rules and Regulations Governing Public Use of Water Resources Development Projects Administered by the Chief of Engineers."

f. Executive Order 11752.

g. 33 CFR 209.120, "Permits for Work in Navigable Waters or Ocean Waters."

h. National Historic Preservation Act of 1966 (16 U.S.C. 470h-254 U.S.C. 300101 et seq.)

1.4 Applicability. This plan is applicable to the lands and waters commonly referred to as the Wappapello Lake Project, located in Wappapello Missouri. This plan will be used as a guide to determine if private facilities may be placed on fee owned lands, lands subject to flowage easement, and for uses not specifically covered in the easement document. License or lease agreements not related to private facilities are not affected by this plan. Private land affected by specific real estate easements held by the Corps of Engineers are subject to the restrictions stated in the easement document and are not addressed in this plan. No other Federal agencies have jurisdiction over the administration of the shoreline covered by this plan.

1.5 Private Floating Recreation Facilities. Private floating recreation facilities, as discussed in this plan, include, but are not limited to: private docks, community docks, boats, boat mooring facilities, ski courses, swim floats, and waterfowl hunting blinds. Private floating facilities will not be used for human habitation.

1.6 Private Onshore Facilities. Private onshore facilities, as discussed in this plan, include, but are not limited to: trolleys, tramways, picnic tables, stairs and steps, and other structures placed upon Government property.

1.7 Land Use Permits. Vegetative modifications such as mowing, pathways, and brushing or trimming of vegetation that are not part of a real estate interim use permit also fall under the purview of the Shoreline Management Plan and permit requirements.

SECTION II

Objectives of the Plan

2.1 General. Management of private use on public property is necessary to assure compatibility with public recreation, the environment, and project resources. The objectives of this plan are to manage and protect the shoreline; to establish and maintain acceptable fish and wildlife habitat, aesthetics, natural and environmental quality concerns; and to promote the safe use of the lake project for recreational purposes by the public. Federal lands, waters, and all other environmental features should be available for public use and enjoyment.

2.2 Private Exclusive Use. The objective of this plan is to minimize or eliminate private exclusive use of Federal lands - with certain exceptions for public service organizations such as Boy Scouts, Girl Scouts, and other regional youth camps. Reserving Federal lands for private exclusive use is contrary to the intent of Congress who appropriated public funds for this facility. Ownership of adjacent private land does not convey exclusive rights or preference concerning the use of public lands. Boat owners will be encouraged to moor their boats at commercial marinas and community docks, to utilize dry storage facilities, or to trailer their boats and use public launching ramps.

2.3 Commercial Concessions. Commercial concessions, including floating facilities, are managed through real estate lease agreements and are not affected by this plan. Services and storage facilities provided by these commercial operations reduce the need for privately owned docks along the shoreline.

SECTION III

Description of the Project

3.1 General. Wappapello Lake is an impoundment of the St. Francis River in Wayne and Butler Counties, Missouri, approximately 1 mile southwest of Wappapello, and 16 miles northeast of Poplar Bluff, Missouri. This region is characterized by narrow ridges between deeply cut valleys that are heavily forested with short leaf pine, oak, walnut, maple, hickory, ash, cherry, other hardwoods and softwoods.

3.2 Authorized Purpose of the Project. Wappapello Lake and Dam was constructed as part of the St. Francis River Basin Project, which was authorized primarily for reduction of damage caused by flooding. The project was authorized in the Flood Control Act approved by Congress on June 15, 1936, and amended by subsequent Flood Control Acts. The reservoir has since become a significant regional resource and recreational center. Federal land surrounding the lake is used for recreation, educational programs, fish and wildlife propagation, forestry, and agriculture.

3.3 Shoreline. The lake shoreline length is approximately 180 miles at the normal recreational pool of 359.74 feet. The Wappapello Lake project extends approximately 9 miles along the St. Francis River above the recreation pool.

3.4 Operations Concept. The reservoir was authorized primarily for reduction of damage caused by flooding in the St. Francis River Basin. Recreation, while important, is a secondary use of the project. The lake level is maintained at two seasonal levels. The winter conservation pool stage 354.74 feet encompasses 5,200 surface acres and 30,900 acre-feet of water storage. The summer recreation pool stage 359.74 feet spans 8,400 surface acres and stores 613,200 acre-feet of water. The pool elevation is adjusted in the spring and the fall as allowed by environmental conditions in accordance with the water control plan.

NGVD 1929 elevation = pool stage +0 ft.
NAVD 1988 elevation = pool state -0.41 ft.

Seasonal Pool	Elevation (feet NGVD)	Date maintained (+/- 14 days) From	Until
Conservation	354.74	December 15th	April 1st
Recreation	359.74	April 1st	December 15th

Controlled reservoir releases vary up to 10,000 cubic feet per second depending on the pool elevation, time of year, and downstream conditions. Preemptive releases up to 15,000 cubic feet per second are possible if the lake elevation is forecasted to exceed the spillway crest. Further information on this subject is available at the project office in the Water Control Manual, Wappapello Lake, St. Francis River Basin, March 2015.

3.5 Present Land Use. The Wappapello Lake Project contains approximately 44,669 acres owned in fee simple title by the United States Government, and an additional 172.68 acres of flowage easement. The largest parcel of this land has been designated for vegetation management (27,810 acres). Next in size is high density recreation areas (3,655 acres) followed in acreage by low-density recreation areas (554 acres). A state managed wildlife management area (1,880 acres) is located at the northern end of the project. Seven environmentally sensitive areas including three ecologically significant areas (1,689 acres) and four cultural areas (312 acres) are located within the project. A small area at the dam site is designated for project operations (369 acres).

3.6 Recreation. Existing recreational development in the lake area consists of picnic areas and shelters, campgrounds, boat ramps, swim beaches, trails, playgrounds, play courts, and group recreational and education areas (Boy Scouts, Girl Scouts, and SEMO Youth Camps) and the utilities to support those facilities.

The State of Missouri operates a State Park on Wappapello Lake.

Concessionaires provide cabins, campsites, boat rentals and mooring facilities, playgrounds, swimming pools, restaurant, and convenience store services.

SECTION IV
Shoreline Allocation

4.1 General. This plan for management of the Federal lands and waters of Wappapello Lake has been prepared to protect and manage the shoreline and the natural project features by limiting private exclusive use of the shoreline. The intent and goal of this plan is to promote the safe and healthful use of the shorelines by the public while maintaining environmental safeguards to ensure a quality resource for the public.

4.2 Allocations.

a. Public Recreation Areas. (Plate 1, Red Areas) Public Recreation Areas are designated as developed or proposed public use areas. Private facilities are not permitted within or near these areas, whether established or designated future use. Individuals are not permitted to make any modification to the landforms or vegetation on lands so allocated. Commercial boat docks or concessions are permitted in public recreation and buffer areas.

b. Protected Shoreline Areas. (Plate 1, Green Areas) Protected Shoreline Areas are so designated to protect aesthetic, environmental, and/or fish and wildlife values. These areas are available for general recreational purposes. Public use facilities provided are limited to boat launching ramps. Access by land and water is permitted in these areas provided the aesthetic, environmental, and natural resource values are not damaged. Land access by vehicles is limited to authorized roads. Alteration of the land and vegetative modification may be allowed for limited interim use such as agricultural cropland, pasture land, or hay land under terms of specific lease agreements. These lease agreements will be made only after full consideration of the effects said use will have on environmental, physical, and biological characteristics of the area. No private exclusive use privileges or facilities will be permitted in these areas.

c. Limited Development Areas. (Plate 1, Blue Areas) Private facilities are permitted in designated areas. Permit applications only from adjacent landowners will be considered. Development in these areas are deemed full and any permitted facility will not exceed the existing footprint. Such development may be limited by the impact on the ecological and aesthetic characteristics of each area. Adjacent land ownership shall be required for private docks. Concessionaires may manage community docks by modification of their lease agreement.

d. Restricted or Prohibited Access Areas. (Plate 1, Purple areas) These areas are identified, designated, and allocated for the integrity of the project, the physical safety of the public, for the protection of certain local ecosystems, and in accordance with land use in the surrounding areas.

(1) The area of the intake control structure and a portion of the outlet channel is restricted from public access and use in accordance with the posted signs.

(2) Recreational boating is prohibited in the Lost Creek and Asher Creek waterfowl refuges during waterfowl hunting seasons (except teal or goose season) in accordance with the posted buoys and signs.

(a) Asher Creek is completely closed to hunting because the surrounding area is managed as a state park.

(b) Hunting is allowed in the Lost Creek area but is restricted to archery only during the zoned duck season including any and all splits.

(3) Holiday Landing Watchable Wildlife Area is open to all forms of hunting except during the zoned duck seasons including all splits. During the zoned duck seasons the area is closed to all activities other than use of the Watchable Wildlife blind.

(4) The Hawe's Bluff and Cedar Bluff Areas are included in this category because unique and rare species of plants have been identified in these areas. Public access is not restricted in either of these areas. Removal of or damage to plants and natural features, including alteration of the landform, is prohibited.

SECTION V
PERMITS

5.1 Department of the Army Permits. Activities such as dredging, construction of fixed structures, and the discharge of dredged or fill material in navigation waters will be permitted under conditions specified in permits issued under authority of Section 10, River and Harbor Act of 3 March 1899 (33 USC 403) and Section 404 of the Federal Water Pollution Control Act (33 USC 1344). Shoreline use permits will not be used under these circumstances.

5.2 Real Estate Instruments. All commercial development activities and all activities by individuals which are not covered above and involve grade cuts, fills, other changes in land form, or appropriate land-based support facilities required for private floating facilities such as roads, drives, power lines, and tramway rights-of-way must be covered by a lease, license, or other legal instrument.

5.3 Shoreline Use Permits. Shoreline use permits may be issued for private and community floating recreation facilities, duck blinds, and mowing provided such does not, in any way, involve a disruption to or a change in landform. Permits may not be issued if cultural resources will be adversely impacted. All permits shall be null and void upon sale or transfer of the permitted facility, death of the permittee and his/her legal spouse, or termination for non-compliance with permit requirements. A new permit may be requested. Permit approval is not to be considered assured or automatic - and will be determined on an individual basis. Permittees who have their permit revoked will not be eligible for another permit for a period of five (5) years.

SECTION VI
Implementation of the Plan

6.1 General. A Shoreline Use Permit is required for any private facility, structure or activity on public lands managed as part of Wappapello Lake. Applications must be submitted to the Operations Manager at Wappapello Lake for review and recommendation to the District Engineer, St. Louis District. Permit application forms (Exhibit 1) are available at the Operations Manager's office. The "Shoreline Use Permit Conditions" (Exhibit 2) shall be applicable to all permits. Permits approved by the District Engineer or authorized representative in accordance with this plan will be issued to the permittee on record. The permittee shall be wholly responsible for placement, operation, use, and removal of the permitted facility and restoration of the public lands. If the permittee and/or the alternative contact do not respond within 30 days, the permit may be terminated, all use shall cease, and the area will be restored to the satisfaction of the Operations Manager, Wappapello Lake.

Should the permitted area be needed for a higher priority use of the government (such as navigation or flood control abatement) the permittee shall be responsible for removal of the facility or relocation to an approved location and restoration of the public lands.

6.2 Boat Docks. All existing permits for private and community docks will remain in effect, subject to the terms and conditions of the current permit. No new docks will be permitted.

a. Private Docks. Private docks may not be enlarged or expanded in any way. Other modifications or alterations may be made only as authorized in writing by the District Engineer or designated representative.

Applications for modifications to private floating facilities must, as a minimum, include:

1. A detailed drawing with dimensions, placement location, design, construction materials and anchorage method.

2. The name, address, telephone number, and, if possible, an alternate means of contact (such as a fax number or an email address) for the permittee and for an alternate contact person.

3. The expected duration of use of the facility.

b. Community Docks. Permits for community facilities will be issued in the name of a designated individual. The permittee of record will be responsible for the facility. Community docks may be enlarged by the addition of stalls, subject to the development limitations. Applications for such facilities shall include plans and specifications of the facility. As a minimum, the application will include:

1. A detailed drawing with dimensions, number of stalls, location, structural design, construction materials, flotation material, and anchorage method.

2. The name, address, telephone number, and, if possible, an alternate means of contact (such as a fax number or an email address) for the permittee and for an alternate contact person.

3. The expected duration of use of the facility.

6.3 Vegetative Modification. Vegetation alteration and mowing will be limited and allowed only in areas approved by the Operations Manager and identified by appropriate markers placed in the ground. Removal or trimming of vegetation, including trees, will be allowed for the safety of the public or adjacent property only after approval of application and issuance of a permit by the Operations Manager. Each tree, brush or shrub to be removed will be marked by the Operations Manager or their designee at Wappapello Lake. The sale of timber or removed vegetation is prohibited. A vegetative modification permit will be issued in the name of one person designated as the permittee. Said permittee will be considered responsible for all activity in the permitted area.

Applications for vegetative modification, whether community or private, shall include:

1. Purpose of the vegetative modification.

2. Map with location and extent of the modified area.

3. Type of vegetation to be modified.

4. Name, address, and telephone number and, if possible, an alternate means of contact (such as a fax number or an email address) of the permittee and for an alternative contact.

5. A statement of compliance with the rules, regulations and conditions of the permit.

6.4 Waterfowl Hunting. No permanent blinds will be allowed. No waterfowl hunting (including teal and goose) will be allowed in the Lost Creek Waterfowl Refuge, the Asher Creek Waterfowl Refuge, and the Holiday Landing Watchable Wildlife Area or the following Coves (Plate 2):

Wappapello Lake State Park (Allison Hollow)

Peoples Creek

Redman Creek

Girl Scout Camp

Rockwood Point

The upper part of Lost Creek and upper part of Asher Creek will be closed to all other boat traffic prior to season until the end of the applicable hunting season.

Floating blinds are permitted only for Waterfowl hunting. Blinds may be placed only in allocated areas on Plate 2. The permittee shall furnish the Operations Manager, Wappapello Lake with the location, and any subsequent relocation, of their blind as established by GPS coordinates. No vegetation may be obtained from Wappapello project lands for use on any blind.

Blinds must be maintained on a year-round basis and are subject to unannounced inspection at the convenience of the Government. Structures determined unsafe or substandard must be repaired within 30 days to avoid permit revocation. Blinds must be removed from the lake or relocated into a designated storage area within two weeks of the close of the applicable season or as otherwise stated in the individual blind permit. The area designated for floating blind storage may be changed upon the Government's determination of need and/or future use. Failure to remove or relocate blinds may result in a citation being issued to the permittee.

The permittee shall be responsible for notifying the Operations Manager, Wappapello Lake of any delays in removal or relocation of a blind after duck hunting season closes. An additional citation may be issued and the permit may be revoked if relocation or removal has not been accomplished 30 days after season closure. Upon revocation of a permit, the permittee will have no more than 30 days to remove a blind from the lake. Removal shall be at the expense of the permittee.

6.5 Other facilities or activities.

a. Trolleys or Tramways. No new trolleys or tramways will be permitted. Existing permitted trolleys and tramways will be allowed to remain in their present location provided they continue to meet the conditions listed in Attachment E. All trolley and tramway structures determined to be unsafe must be repaired within 30 days in accordance with the permit or removed from Federal property.

b. Ski Courses. Individual requests for ski courses will not be permitted. Permits may be issued for ski courses upon submittal of plans by a club, group, or agency, subject to approval by the District Engineer or their representative. Ski courses shall meet the standards of The American Water Ski Association or National Water Ski Association.

Unless authorized by the District Engineer or designated representative, the following are prohibited.

a. Buoys or Waterway Markers

b. Anchors and moorage

6.6 Unauthorized Structures.

a. Channels, canals, excavations

b. Piers or fixed platforms

c. Pilings posts or stakes

d. Stairways, paths or steps

e. Fences and similar structures

f. Floating platforms or similar structures

g. Fish shelter/attractors (unless permitted through a special use permit)

6.7 Prohibited activities.

a. Habitation. Extended habitation on land, floating facilities or vessels.

b. Burning. Burning of any materials by private individuals except in authorized locations such as campground fire rings. Burning of hazardous or noxious material.

c. Trash. Littering or bringing garbage, trash, refuse, household or animal waste - or other such material onto Government property for disposal or storage.

d. Contaminants. Discharge of sewage or gray water on or across federal lands or into the lake.

e. Vandalism. Defacing (including, but not limited to, painting, whitewashing, coloring or other alteration) or damaging natural features including vegetation and rocks.

6.8 Posting of Permits. The issued tag (See Exhibit 4 for example permit) must be prominently displayed on floating structures or other facilities.

6.9 Renewal of Permits. Shoreline use permit renewal requests should be submitted to the Operations Manager NOT LATER THAN SIX (6) weeks prior to the expiration date of the permit. Permit renewal shall not be considered an automatic process or expected action.

6.10 Revocation or Termination of Permits. The District Engineer may revoke any permit for non-compliance with the conditions of the permit or in the public interest. If the permit is terminated or revoked before expiration date, no portion of the fee will be refunded for the unused tenure of the permit.

6.11 Removal of Unauthorized Structures. It is a condition of all permits that upon revocation, termination or expiration, the facility be removed at the expense of the owner or designated permittee and that all associated activities cease. The permittee of a no longer authorized facility shall be given 30 days written notice to remove the facility. If, after 30 days, the structure has not been removed, or if the permittee and alternate contact cannot be located or is non-responsive, the Operations Manager may impound and dispose of the structure under the existing regulations of Department of the Army, Corps of Engineers.

6.12 Duration and Administration Fees. All fees collected are deposited as general receipts to the Treasury of the United States. The stated fees partially cover administrative and inspection services and are subject to change in accordance with changes in law and regulations. All fees for issuance of a permit will be collected in advance. A fee schedule is found in Appendix F.

Permits for floating blinds will be issued annually. There will be a registration fee. An additional annual fee for storage in a designated area of the lake may also be charged because this activity reduces the water surface available for use by other public entities.

Permits for vegetation modification and all private floating facilities other than waterfowl hunting blinds will be issued for a period of 5 years.

EXHIBIT 1

APPLICATION FOR SHORELINE USE PERMIT

(ER 1130-2-406)

(See reverse side for Privacy Act Statement)

Print or type information requested below. Submit two completed and original signed copies of this application with two complete sets of plans and specifications to the Resource Manager.

PROJECT	DATE OF APPLICATION
NAME OF APPLICANT *(and Spouse if applicable)*	TELEPHONE, AREA CODE AND NUMBER
STREET	CITY, STATE, ZIP CODE

TYPE OF FACILITY *(Check one or more blocks as appropriate)* ☐ NEW ☐ RENEWAL

WATER-BASE

☐ SINGLE-OWNER DOCK ☐ SKI JUMP
☐ COMMUNITY DOCK ☐ SKI COURSE
☐ MOORING BUOY ☐ SWIM FLOAT
☐ MOORING POST ☐ DUCK BLIND

LAND-BASE

☐ UNDERBRUSHING ☐ MOWING
☐ PLANT /LANDSCAPING ☐ FOOT PATH
☐ EROSION CONTROL

☐ OTHER *(Describe)* _____

BRIEF DESCRIPTION OF FACILITY LOCATION, STATE LICENSE NUMBER(S) OF BOAT(S) TO BE DUCKED *(If this application is for boat mooring facility)* OR DEVELOPMENT *(If this application is for land use)*:

THE FOLLOWING ALTERNATE PARTY WILL BE READILY AVAILABLE ON SHORT-NOTICE CALL AND RESPONSIBLE FOR PROVIDING ANY NEEDED SURVEILLANCE OF THE STRUCTURE IN MY ABSENCE.

NAME	TELEPHONE, AREA CODE AND NUMBER
STREET	CITY, STATE, ZIP CODE

I UNDERSTAND AND AGREE TO THE CONDITIONS OF THE PERMIT FOR SHORELINE USE. TWO COMPLETE SETS OF THE PLANS AND SPECIFICATIONS, INCLUDING SITE LOCATION AND LAYOUT PLAN, FOR THE PROPOSED ACTIVITY. STRUCTURE OR ANCHORAGE SYSTEM ARE ENCLOSED.

_____ *(Date)* _____ *(Signature of Applicant)*

_____ *(Date)* _____ *(Signature of Alternate)*

(DO NOT WRITE BELOW THIS LINE)

PERMIT

SHORELINE PERMIT NO.	DATE ISSUED	DATE EXPIRES *(Date)*

THE APPLICANT IS HEREBY GRANTED A PERMIT TO CONSTRUCT AND/OR MAINTAIN AND USE A FLOATING RECREATION FACILITY OR OTHER DEVELOPMENT AS SHOWN ON THE ATTACHED PLANS SUBJECT TO THE RULES AND REGULATIONS OF THE CORPS OF ENGINEERS ON WATERS UNDER THE CONTROL OF THE U.S ARMY, CORPS OF ENGINEERS. THE PERMITTEE SHALL ADHERE TO THE CONDITIONS FOR SHORELINE USE SET FORTH IN APPENDIX C OF ER 1130-2-406.

_____ *(Date)* _____ *(Signature of Resource Manager)*

ENG FORM 4264-R, OCT 1990 EDITION OF 1 DEC 74 IS OBSOLETE. (Proponent: CECW-ON)

PE v1.00

DATA REQUIRED BY THE PRIVACY ACT OF 1974

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

US Army Corps
of Engineers
St. Louis District
Leaders in Customer Care

PERMIT

NAME_____

EXPIRES _____

THIS PERMIT IS NON-TRANSFERRABLE AND MAY BE REVOKED AT ANY TIME

U.S. ARMY CORPS OF ENGINEERS ST. LOUIS DISTRICT

LMS FORM 30 APR 87 739 Previous Editions Are Obsolete. LMSOD-R

EXHIBIT 3

Wappapello Lake
July 2002

Limited Development Area #1.
This area is 400 feet in length and located at the North end of Cozort Point. The area presently has two community docks.
This area has been determined to be full.

Limited Development Area #2.
The area is 400 feet in length in the middle of Cozort Point.
The area presently has one community dock and two private docks.
This area has been determined to be full.

Limited Development Area #3.
The area is 400 feet in length located at the Craft Subdivision. The area presently has one large community dock.
This area has been determined to be full.

Exhibit 4

SHORELINE USE PERMIT CONDITIONS

1. This permit is granted solely for and is limited to the stated purpose(s). This permit conveys no property rights, whether real or material, and does not authorize any damage to private property or interference of private rights. All Federal, State and local laws and regulations still apply, including any permits required for construction, operation, use or maintenance of the facility and/or activity. The permittee and/or designated alternate shall be legally responsible for activities taking place under conditions of this permit. Failure to comply with permit conditions will result in permit revocation. It is also a violation of Section 327.19, Title 36, Code of Federal Regulations, to not comply with terms or conditions of any permit issued under the provisions of the Shoreline Management Plan.

2. The 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, said permit shall be null and void. No guarantee of permit approval is implicit if a permitted facility is sold or ownership is otherwise transferred. The permittee on record or their authorized representative shall notify the Operations Manager of ownership transfer no later than the date of said action. The new owner may apply for a Shoreline Use Permit through the Operations Manager. If the permit is granted, the new owner shall have 30 days to comply with all current requirements of the Shoreline Use Permit or to remove the facility and restore the area of use.

3. 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 of, any damages to persons or property, including a permitted facility, resulting from or associated with the ownership, construction, operation or maintenance of the facilities and/or activities.

4. The Operations Manager or authorized representative shall be allowed to cross the permittee's property to inspect facilities and/or activities under permit.

5. No attempt or action shall be made to forbid or restrict the full and free use of all public waters and/or lands by the public or to interfere with any authorized project purposes.

6. Ownership, construction, operation, use and maintenance of a permitted facility is subject to the Government's navigational servitude. Should the approved location of a permitted facility unreasonably interfere with navigation or subsequent operations by the Government require relocation of a facility and/or activity, the permittee agrees to remove, alter, or relocate the permitted facility upon written notice from the District Engineer, without expense to the Government.

7. The Government is not and shall not be liable for any damages or injury to a permitted facility caused by or resulting from operations undertaken by the Government for the improvement of navigation or for other lawful purposes. No claims or rights to compensation shall accrue from any such damage. This includes any damage that may occur to private property if a facility is removed for noncompliance with the conditions of the permit.

8. All structures will be designed, sited and constructed to minimize damage to the landscape, and to preserve any scenic values existing in the area. Ownership, construction, operation, use and maintenance of a permitted facility and/or activity is subject to all Federal, State and local laws and regulations.

9. A permit shall be null and void if construction is not completed within the stated time frame. Further, the permittee agrees to: minimize the degradation of water quality during construction or use of the facility; safely operate and maintain any permitted facility and/or activity; and to minimize or remove any adverse impact on fish and wildlife habitat, natural, environmental, or cultural resources.

10. The permit tag shall be posted on the permitted facility and/or on the permitted land areas in accordance with the instructions of the Operations Manager.

11. Facilities granted under this permit may not be leased, rented, sub-let or provided to others by any means of engaging in activity(s) by the permittee or permittee’s agent or representative.

12. Permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. The permittee shall be notified by the Operations Manager of any deficiencies and shall have 30 days to correct same. No deviation or changes from approved plans will be allowed without prior written approval of the Operations Manager. Failure to correct the itemized deficiencies shall be cause for permit termination.

13. The use of a boat dock shall be limited to the mooring of the permittee's vessel or watercraft and the storage of gear essential to the operation of such vessel or watercraft.

14. Floats and flotation for all docks and boat mooring buoys shall be fabricated of material manufactured for marine use. The float and flotation material shall be 100% warranted for a minimum of 8 years against sinking, becoming waterlogged, cracking, peeling, fragmenting or losing beads. All floats shall resist puncture and penetration and not be subject to damage by animals or vegetation under normal conditions for the area. All floats and the flotation material shall be fire resistant. Any float within 40 feet of a line carrying fuel shall be 100% impervious to both water and fuel. The use of new or recycled plastic or metal drums or non-compartmentalized air containers for encasement or floats is prohibited. Existing flotation may be used until it is no longer serviceable, fails to perform its designated function, or fails to meet the specifications for which it was originally warranted. Replacement flotation must meet the above conditions.

15. Floating dock facilities shall be securely attached to the shore in accordance with the approved plans. Moorings will not obstruct public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited.

16. Floating facilities may not be used as a place of habitation, whether full or part-time. No discharge of sewage or gray water is allowed into the waters of the lake.

17. Plumbing will not be permitted without prior approval from the Operations Manager. All approved plumbing will comply with Federal, State, and local codes. Approved plumbing will not discharge any effluent into the lake water.

18. The use of AC power is prohibited on private floating facilities.

19. Vegetation modification permits require that the permittee delineate The Government property line in a clear, but unobtrusive, manner as approved by the Operations Manager. No vegetation other than that stated in the permit may be damaged, destroyed or removed. No vegetation of any kind will be planted other than that specifically stated in the permit. No alteration of landform such as grading, excavation or filling is authorized by this permit.

20. All signs other than permit tags will be coordinated through the Operations Manager to provide and maintain uniformity.

21. If permitted facilities are removed for storage or extensive maintenance is required, the Operations Manager may require all portions of the facility be removed from public property.

22. The District Engineer may revoke this permit by 30 days written notice for failure to comply with any permit condition or term, or as necessitated by public interest. Notice of revocation shall be mailed to the permittee by registered or certified letter, specifying the reasons for such action. Failure to accept the certified letter or otherwise not respond to a notice of revocation shall be grounds for impoundment and disposal. A request for hearing with the District Engineer may be submitted in writing by the permittee within the appeal period. The request should be submitted through the Operations Manager. The hearing date will be held within 60 days from the date the hearing request is received in the office of the District Engineer. A decision will be mailed to the permittee by certified letter.

23. Upon termination or revocation of a permit, the permittee shall be responsible for removing the facility from project lands and/or waters, within 30 days, at his/her expense, and restoring the waterway and lands to a condition acceptable to the Operations Manager. Non-compliance may result in citation and/or removal of the facility - whether by contract or otherwise - and the permittee on record will be liable for all costs incurred.

24. The District Engineer has the authority to revoke any shoreline permit, effective immediately, in an emergency.

25. These standards do not apply to commercial leases.

ATTACHMENT A

SPECIFICATIONS FOR COMMUNITY BOAT DOCKS

The Shoreline Management Plan provides that community docks will be accepted in Limited Development Areas.

1. The minimum number of permitted boat slips is 4. The maximum number of boat slips will be determined by the Operations Manager and will depend on the geography and aesthetics of the shoreline where the dock will be located, designation of adjoining areas, and the ability of the permit holder to properly maintain the dock, regardless of dock size.

2. The permittee must be one of the owners of the community dock. The permittee must be of legal age (18 years or older). The permittee will be held responsible for the dock and its maintenance.

3. Changes in ownership in individual slips of the community boat dock will be allowed and will not result in termination of the permit.

4. The permittee’s and /or alternate’s name may be changed at any time by written notification to the Operations Manager. This will not affect the status of the permit. At no time will the number of owners of the community dock be less than the minimum number of permitted boat slips.

5. The fee charged for community docks will be as stated in Attachment F to the Shoreline Management Plan.

ATTACHMENT B

VEGETATION ALTERATION AND/OR MOWING OF PROJECT LANDS

A Shoreline Use Permit (ENG form 4264-R) must be submitted to, and approved by, the Operations Manager prior to making any alterations to Government-owned property. Special conditions may be added to a permit to better protect the public interest. Permits are not transferable. Upon sale or other transfer of property adjacent to Government-owned land, for which the permit was issued to protect, or upon death of the person and his/her legal spouse, to whom the permit is issued, the permit is null and void.

Mowing permits will be issued only to provide an adequate buffer zone for the protection of private structures of a permanent nature placed in their present location prior to monumentation of the Government boundary line in 1982. A maximum mowed radius of 50 feet from the private dwelling on Government owned land shall be allowed for fire protection for these private dwellings. Fire protection for facilities placed on private property adjacent to Corps property after monumentation in 1982 is wholly the responsibility of the private landowner. No mowing permits will be issued to protect private facilities placed near or adjacent to the Government boundary line after 01 January 1982. Mowing permits will not be issued for the purpose of enhancing the value of adjacent private property or to create or enhance a scenic view of the lake or surrounding shoreline.

1. No trees, plants, or grass may be planted or placed on Government-owned property. No herbicides may be used on Federal Lands. Trimming or altering healthy trees is prohibited. A special use permit may be issued to allow removal of dead trees that are threatening to human life or private property.

2. No cable, rope, or line may be attached to any vegetation on federal lands that are part of Wappapello Lake.

3. Only hand-operated tools and small power tools (weed eaters, mowers, etc.) may be used. The use of tractors or other heavy equipment, which could damage or alter the landform, is prohibited.

4. Leaf raking is permitted. However, all leaves accumulated must be removed by the permittee and cannot be deposited on Government-owned land.

5. No burning of any material is allowed without a special use permit. This includes, but is not limited to grass, leaves, tree limbs, loose litter or household waste.

6. The fee charged for vegetative alteration will be as stated in Attachment F to the Shoreline Management Plan.

ATTACHMENT C

MINIMUM STANDARDS FOR FLOATING BLINDS

Floating blinds subject to periodic inspection by project personnel. Compliance inspections may be conducted at any time. In addition to the Shoreline Use permit conditions, the following standards have been established specifically for these blinds on Wappapello Lake. All blinds must be placed on site at least one week prior to the opening day of the hunting season or the permit will be null and void. No new permit applications will be accepted for that year's hunting season after close of business the third Friday in October.

1. Structure size shall be kept to a minimum to limit encroachment of the water surface. Maximum structure size shall be limited to one level and no larger than 400 square surface feet or 20' x 20', including the area for the boat used to access the blind.

2. Floating blinds may not be placed upon the lake unless they display a current Shoreline Use Permit Sign. The Shoreline Use Permit Sign provided shall be posted so that it can be visually checked with ease, such as inside the covered boat stall area. If the Shoreline Use Permit Sign is lost or stolen, the permittee shall contact the lake management office as soon as possible and a replacement tag will be issued. Any blind without a permit will be considered unauthorized and subject to impoundment and disposal in accordance with existing regulations.

3. No signs other than the Shoreline Use Permit Sign will be allowed to be placed on the structure. Posters and pamphlets on such subjects as hunting regulations, shooting hours, waterfowl identification and blind ownership may be posted.

4. Accuracy of the blind placement is the responsibility of the permit holder. GPS location of the blind will be established at the time of site selection.

5. Any change to blind location, after initial selection, must have prior approval by the Operations Manager.

6. All blinds will be placed on the water at a minimum distance of 300 yards from any other blind, private floating facility, or marina and 100 YARDS FROM THE CENTER OF THE navigation channel.

7. Blinds must be securely anchored. A blind that drifts must be immediately reset in the approved location and re-anchored. Blinds may not be attached or affixed to any living vegetation or tree. No posts, pilings, stakes, or pipes may be driven into the lake for anchorage.

MINIMUM STANDARDS FOR FLOATING BLINDS

8. All anchors must be removed from the lake when the blind is removed or relocated. Brush or leaves from any living tree or other plant on public lands or waters will not be gathered and used to camouflage blinds.

9. Floating blinds, including anchorage, decoys and related items must be either removed from the lands and waters of Wappapello Lake or relocated to a designated storage area within two weeks after close of the applicable hunting season, or as otherwise stated in the Application for Shoreline Use Permit condition. Floating blinds that have not been towed to a designated storage area or removed from the lake are unauthorized structures and subject to impoundment and disposal at owner's expense in accordance with existing regulations.

10. The open burning of any blind or other material on public lands at Wappapello Lake without prior approval by the Operations Manager is prohibited.

11. Storage areas for floating blinds may be managed by concessionaires as satellite docks so long as they are in approved locations. Satellite docks managed by permitted concessionaires shall be subject to terms of the applicable commercial lease.

12. The fee(s) charged for placement and storage of a floating blind will be as stated in Attachment F. Blinds that will be stored in the designated storage coves on Wappapello Lake will be assessed an additional storage fee of $50. This fee is non-refundable and may be collected at the time of the duck blind drawing.

13. Citations will be issued for violations and may lead to removal or impoundment and disposal of blinds, as per section 6.11 of the Shoreline Management Plan.

FLOATING BLIND REGISTRATION PROCESS AT LAKE WAPPAPELLO

The prioritization process for floating blind site selection will begin at 9:00 am. at the Wappapello Lake Visitor Center on the third Saturday in August. After the initial selection process, applicants for floating blinds may apply for any remaining sites until the close of business on the third Friday of October of the same year. The maximum number of blinds allowed shall be no more than 40 for reasons associated with public safety.

Registration must be done in person. Only one application will be allocated per person. A completed ENG Form 4264-R, Application for Shoreline Use Permit, and application fee (as stated in Attachment F), must be submitted to the Lake Wappapello Management Office at the time of registration. Cash, personal check, or money order will be accepted. Personal checks and money orders should be made payable to: "FAO, USACE, ST. LOUIS".

The following opening day allocation process will be used:

1. After registration and application submittal, the applicant will draw a numbered token to determine their priority in the site selection order. Applicants with the lowest selection number (as established by drawing) will be given priority for site selection.

2. The applicant will be allowed 5 minutes to select the location for their floating blind.

3. Non-responsive applicants will lose their place in the order and will be relegated to the back of the selection line.

ATTACHMENT E

MINIMUM STANDARDS FOR TROLLEYS AND TRAMWAYS

No new trolleys or tramways will be permitted.

Existing permitted structures will be allowed to remain in their present location provided they are maintained in safe, usable condition. Construction, maintenance and operation of the trolley and tramway structures will meet or exceed the plans on record, including dimensions and details of tramway, trolley, winch, and boathouse, and as approved by the District Engineer or authorized representative. No modification can be made unless authorized by the District Engineer or authorized representative. All applicable state, county and local codes shall be in full effect.

At least one complete inspection will be made each year by project personnel to determine compliance with the terms of the license. Such inspections will include, but are not limited to:

1. Compliance with construction standards, approved plans and specifications,

2. Maintenance, repair, protection, and sanitation on the property,

3. Housekeeping practices of facilities and grounds,

4. Unauthorized use of property.

Any deficiencies will be discussed with the permittee and a time limit for correction of such deficiencies will be established. Failure of a lessee to comply with lease provisions is cause for revocation of the license. All trolley and tramway structures determined to be unsafe shall be repaired in accordance with the permit or removed from Federal property.

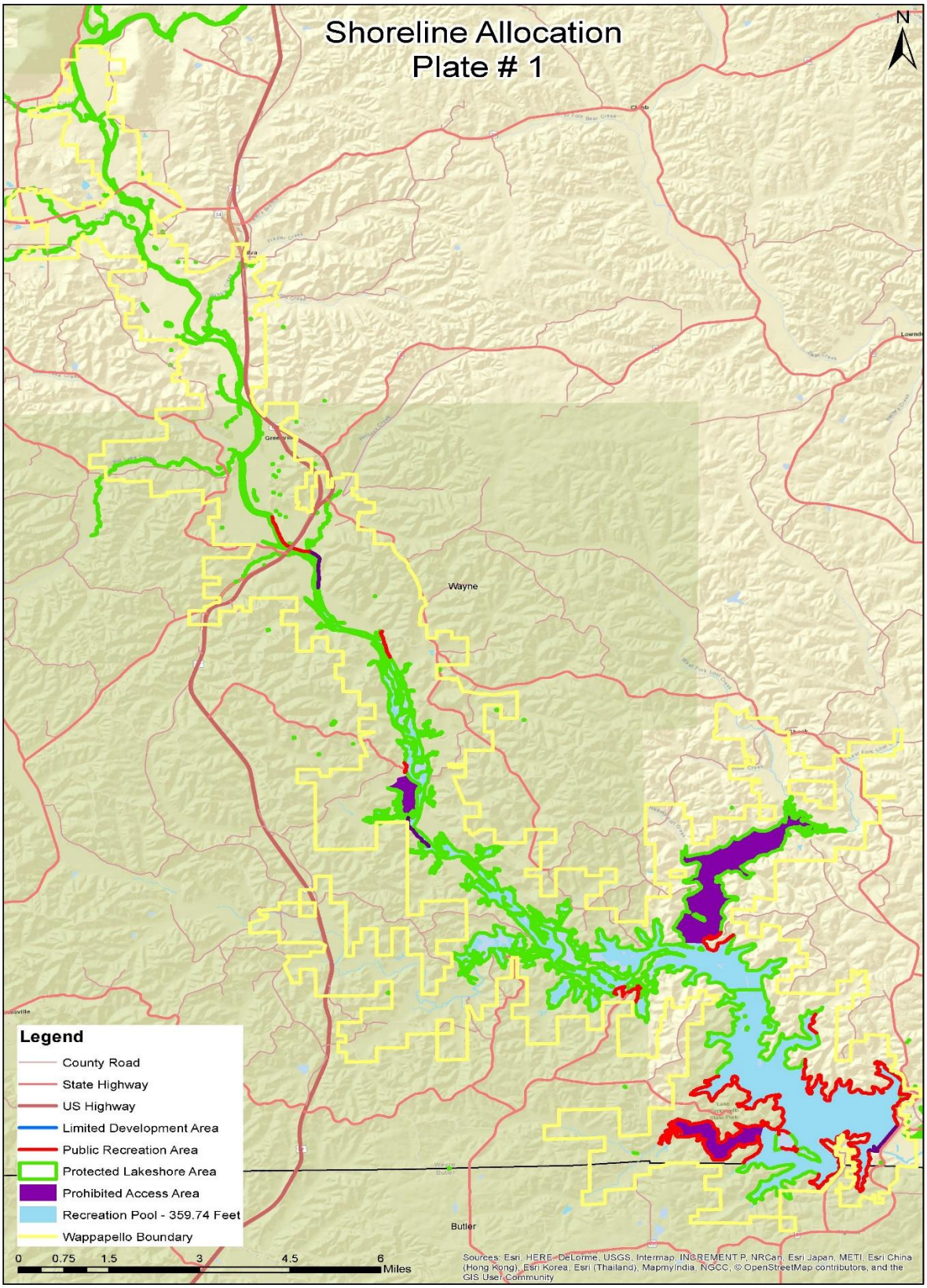
ATTACHMENT F

PERMIT FEE SCHEDULE

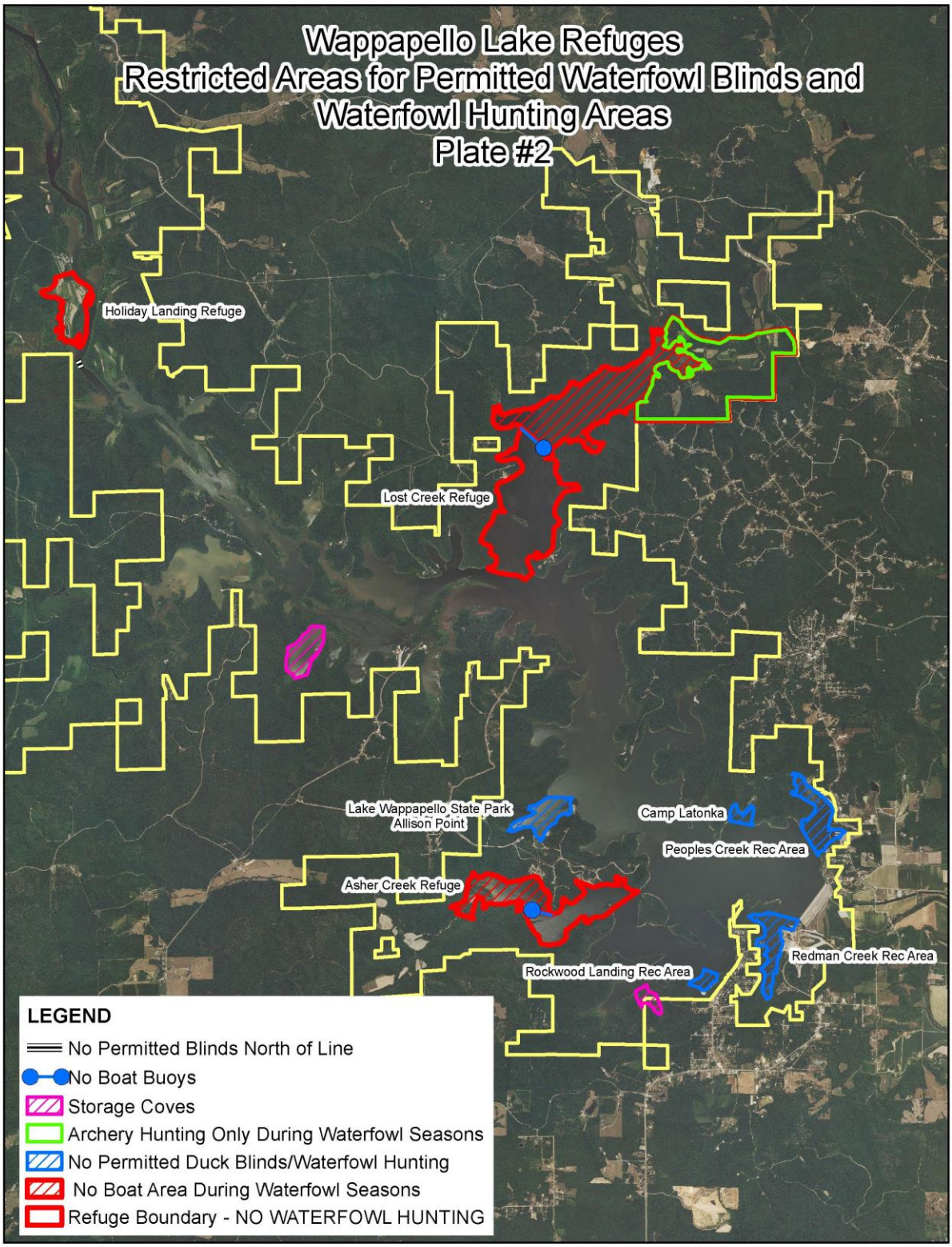
A nominal fee will be charged to recover a portion of costs incurred in administration of the Shoreline Use Permit Program. This fee schedule may be periodically updated to reflect changes in administration costs.

Activity	**Duration**	**Total**
Community Boat docks	5 years	$30.00 per stall
Private Boat Docks	5 years	$30.00
Vegetation Alteration	5 years	$30.00
Waterfowl blinds	Annually	$15.00
Waterfowl blind storage	Annually	$50.00

Shoreline Allocation



Wappapello Lake Refuges/Restricted Areas



Appendix A

Summary of Proposed Changes to Previous Shoreline Management Plan

ITEM #	Action Area	PAGE	SECTION	Proposed changes
1	Land Use Permits	2	1.7	Added Section 1.7 Land Use Permits to improve clarity. Not a change to management plan.
2	Operations Concept	4	3.4	Updated per regulation, NGVD guidelines.
3	Mid-pool elevation removal	4	3.4	Updated per March 2015 water control plan update
4	Present Land Use	5	3.5	Updated to coincide with concurrent 2019 Wappapello Lake Master Plan update
5	Remove Sanitary Facilities	5	3.6	Removed mention of sanitary facilities, not relevant to shoreline management plan and discussed in detail in master plan
6	Allocations	6	4.2 a.	Defined public recreation area. Referenced in Plate 1, in conjunction with Master Plan.
7	Allocations	6	4.2 b.	Define protected shoreline area. Referenced in Plate 1, in conjunction with Master Plan. Restrict private exclusive use.
8	Allocations	6	4.2 c.	Defined Limited Development areas as full.
9	Allocations	7	4.2 d (3)	New, Holiday Landing Watchable Wildlife Area defined as Restricted area.
10	Shoreline Use Permits	8	5.3	Added that new permit may be requested after the termination of existing permit but approval is not considered automatic.
11	Implementation of plan (general)	9	6.1	New, Non responsive permittees within 30 days, permit termination, restoration etc….
12	Boat docks	9	6.2	Added, No new docks will be permitted
13	Private docks	9	6.2 a.	New, Private docks may not be enlarged or expanded in any way
14	Private docks	9	6.2 a. 1,2,3	Added, New requirements for modification
15	Community docks	10	6.2 b.	Added, Community docks may be enlarged
16	Community docks	10	6.2 b. 1,2,3	Added, New requirements for modification
17	Vegetative Modifcation	10	6.3	Added, Sale of timber or removal of vegetation is prohibited
18	Vegetative Modifcation	10-11	6.3 1,2,3,4,5	Added, New requirements for vegetation modification
19	Waterfowl hunting	11	6.4	New, No waterfowl hunting in Holiday Landing Watchable Wildlife Area
20	Waterfowl hunting	11	6.4	New, Permittees will be required to provide GPS locations
21	Waterfowl hunting	11	6.4	Added, Failure to remove blinds will result in a citation.
22	Waterfowl hunting	11	6.4	Added, Additional citation may be issued if blind is not relocated in 30 days
23	Unauthorized Structures	12	6.6 g	Added, Fish Attractors/shelters (need special use permit)
24	Contaminates	13	6.7 d	Added, Discharge of sewage or gray water into the lake is prohibited
25	Renewal of permits	13	6.9	New, 6 weeks vs. old plan said just prior to expiration.
26	Duration and administration fees	14	6.12	Added, duck blind storage fee
27	Limited Development	Exhibit 3	1	Changed distances from 2,700’ to 400
28	Limited Development	Exhibit 3	2	Changed distances from 1400’ to 400’
29	Limited Development	Exhibit 3		Removed Strickland from plan as no development has occurred.

30	Limited Development	Exhibit 3	3	Changed Craft Subdivision from 2000' to 400 which is what is being used.
31	Shoreline use permit conditions	Exhibit 4, page1	1	Added, Violation of 327.19 title 36.
32	Shoreline use permit conditions	Exhibit 4, page1	2	Added, no guarantee of permit approval if permitted facility is sold or transferred.
33	Minimum Standards for floating duck blinds	Attachment C	Opening statement	Added, All blinds must be placed on site at least 1 week prior to duck season
34	Minimum Standards for floating duck blinds	Attachment C	Opening statement	New, No new permit applications will be accepted for that season after the 3rd Friday in October.
34	Minimum Standards for floating duck blinds	Attachment C, page 1	4	New, GPS location will be provided by the permittee at the time of site selection.
35	Minimum Standards for floating duck blinds	Attachment C, page 1	6	Changed, Blinds will be placed 300 yards from each other, previous plan specified 200.
35	Minimum Standards for floating duck blinds	Attachment C, page 1	6	New, Blinds will be placed 100 yards from center of navigation channel.
36	Minimum Standards for floating duck blinds	Attachment C, page 2	11	New, Storage areas for floating blinds may be managed by concessionaires as floating satellite docks.
37	Minimum Standards for floating duck blinds	Attachment C, page 2	12	New, additional $50 dollar blind storage fee
38	Floating blind registration process	Attachment D, Page 1	Opening Statement	Change, drawing time will now be at 9 am. Previous plan specified 1 pm.
39	Floating blind registration process	Attachment D, page 1	Opening Statement	New, after the selection process, applicants can apply for remaining sites until the close of business on the third Friday in October. The maximum number of blinds will be no more than 40.
40	Permit Fee Schedule	Attachment F	Page 1	Community Docks, change to $30/stall
41	Permit Fee Schedule	Attachment F	Page 1	Vegetation Alteration, change to $30 per 5 years.
42	Permit Fee Schedule	Attachment F	Page 1	Waterfowl Blind Storage, add $50/year fee.
43	Shoreline Allocation		Plate 1	Map symbolization has changed to show prohibited access areas (highlighted water portions of Lost Creek and Asher Creek refuges)
44	Shoreline allocation		Plate 1	Added Holiday Landing as prohibited access.
45	Shoreline Allocation		Plate 1	Changed shoreline allocation areas to match what is existing.
46	Refuges and Restricted Areas.		Plate 2	Combined waterfowl refuge maps, (Attachment G in old plan) with restricted areas for blind placement and storage coves. To make this one map.
47	Refuges and Restricted Areas		Plate 2	Moved no boat area for more boat access during waterfowl seasons.
48	Refuges and Restricted Areas		Plate 2	Added Holiday landing as a waterfowl refuge.