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## SHORELINE MANAGEMENT PLAN Oahe Project Pierre, South Dakota

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## Appendices

- A. Application for a Shoreline Use Permit
- B. Minimum Design Standards for Water-Base Facilities
- C. Shoreline Use Permit Conditions
- D. Lake Oahe Map Directory

**1. Authority:** The authority for the preparation of this document is contained within ER-1130-2-406, "Shoreline Management at Civil Works Projects", dated 31 October 1990, and includes change 1 dated 14 September 1992, and change 2 dated 28 May 1999.

## 2. References.

Title 36, CFR Part 327, "Rules and Regulations Governing Public Use of Water Resource Development Projects Administered by the Chief of Engineers".

ER 1130-2-406, Shoreline Management at Civil Works Projects

Programmatic Agreement for the Operation and Management of the Missouri River Main Stem System for Compliance with the National Historic Preservation Act, as amended

Act of October 29, 1949, Public Law 81-437, 63 Stat. 1026

Public Law 776, 83<sup>rd</sup> Congress (68 Stat. 1191), 3 September 1954 Cheyenne River Reservation, South Dakota

Public Law 85-915 (72 Stat. 1762), 2 December 1958 Standing Rock Sioux Reservation, North Dakota and South Dakota

ER 1130-2-400, Recreation Resource Management of Civil Works Water Resource Projects.

DM 1130-2-5b, dated 1 Jan 94: *Real Estate, Issuance of Minor Licenses and Permits at Water Resource Projects*

Endangered Species Act of 1973, (P.L. 93-205), as amended (16 U.S.C. 1531, et. seq.)

Policy for Minimum Performances and Design Requirements for Floating Structures in the Omaha District, 25 February 1997

Requirements for Floating and Non-Floating Dock Permits, 26 December 2000

South Dakota State Administrative Code, Chapter 41:04:04, *Docks*

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**3. 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 of Engineers jurisdiction in a manner that 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 these shorelines shall be preserved.

## **4. Description of Shoreline.**

**a. Location.** Oahe Dam/Lake Oahe is located on the Missouri River from Bismarck, North Dakota to 7 miles north of Pierre, South Dakota. The dam is located across the Missouri River in Hughes and Stanley Counties at river mile 1072.3. The lake extends 231 miles in a north direction. Lake Oahe covers 373,000 acres at the maximum elevation of 1620 feet mean sea level (MSL). Major tributaries into Lake Oahe are the Cannonball River, Grand River, Moreau River, and Cheyenne River.

**b. Project Shoreline.** The shoreline includes all USACE owned and managed property surrounding Lake Oahe generally at an elevation of 1607.5 feet MSL. At normal operating pool elevation of 1607.5 feet msl, the shoreline of the lake is approximately 2,250 miles in length. Lake Oahe consists of rugged high bluff land from the vicinity of Mobridge, South Dakota to the Oahe Dam. Upstream from Mobridge, South Dakota the topography of the shoreline becomes more gentle and rolling.

**c. Present Land Use.** The Corps of Engineers operates Kimball Bottoms ORV, Hazelton Recreation Area, Badger Bay Recreation Area, Beaver Creek Recreation Area, and Cattail Bay Recreation Area at the Oahe Project. Under the Title VI land transfer, mandated by the 1999 Water Resources and Development Act (WRDA) (Public Law (P.L.) 106-53, the Corps transferred lands above elevation 1620 feet m.s.l., to the State of South Dakota to be managed by the South Dakota Game, Fish, and Parks Department (SDGFP). Required by the same legislation, the Corps (on Oahe project lands) transferred administrative jurisdiction of fee title lands within the boundaries of the Cheyenne River Sioux Tribe (CRST) Indian Reservation that are above elevation 1620 m.s.l. to the Department of the Interior to be managed in trust for the tribe. Within the CRST Reservation boundary, the CRST also has management authority over fisheries, resident wildlife, and their associated habitat from the water's edge to 1620 m.s.l.; Numerous partners lease various other recreation areas and complete the operation and maintenance of the leased areas along the Oahe Project. North Dakota Game and Fish Department leases various lands for wildlife management purposes as well. The remainder of the shoreline is adjacent to generally small privately developed areas and acreages used for farming, grazing, or wildlife areas.

**d. Private Development.** Since the Title VI transfer of lands in South Dakota, there is no private development near the Corps boundary because the South Dakota Department of Game, Fish & Parks land borders the Corps land. At this time, there are 10 private development sites next to the State land in South Dakota. There are 11 private development sites adjacent to the Corps land in North Dakota. The private development is made up of cabins that have been built on private property next to the Federal and State land.

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**e. Existing Access.** There are 48 boat ramps on Lake Oahe. Hazelton Boat Ramp, Beaver Creek Boat Ramp, and Cattail Bay Boat Ramp are in Corps of Engineers managed Recreation Areas. Existing access consists of public roadways to the shoreline, federal recreational areas, and state owned/leased recreational areas and facilities.

**f. Past Private Facility Use.** The majority of private facility use has consisted of privately owned docks and mowing under permit from the Oahe Project.

**g. Lands within the Standing Rock Sioux Tribe Reservation.** Approximately 55,993 acres of land were acquired within the Standing Rock Sioux Reservation for the construction of Oahe Dam on the Missouri River in North Dakota and South Dakota (Public Law 85-915 (72 Stat. 1762), 2 December 1958, Standing Rock Sioux Tribe Reservation, North Dakota and South Dakota). According to Public Law 85-915, Congress restored certain benefits to the Standing Rock Sioux Tribe (SRST) in regards to these lands. Section 10 gives the SRST and its members exclusive permission, without cost, to graze stock on the land between the water level of the reservoir and the exterior boundary of the taken area.

**h. Lands within the Cheyenne River Sioux Tribe Reservation.** Specific tracts of land were acquired within the Cheyenne River Sioux Reservation for the construction of Oahe Dam on the Missouri River on the Cheyenne River Sioux Reservation, South Dakota (Public Law 776, 83rd Congress (68 Stat. 1191), 3 September 1954, Cheyenne River Reservation, South Dakota). According to Public Law 776, 83<sup>rd</sup> Congress restored certain benefits to the Cheyenne River Sioux Tribe (CRST) in regard to these lands. Section 10 gives the CRST and its members exclusive permission, without cost, to graze stock on the land between the water level of the reservoir and the exterior boundary of the taken area. No Private and Exclusive docks will be allowed without prior approval from Cheyenne River Sioux Tribe within the Cheyenne River Sioux Tribe Reservation boundary.

**5. Development of the Shoreline Management Plan.** The 1977 Lake Shore Use plan has been revised using current regulation ER 1130-2-406 dated 1990 and with environmental factors in mind that include the designation of Lake Oahe shoreline as critical Piping Plover habitat and Cultural Resource Management plan. The Master Plan (USACE Omaha District 2010), marina development, current adjacent land use, historical permit areas, and shoreline with 30+ years of no permit requests were also evaluated when updating the limited development areas.

## **6. Prior Commitment.**

Section 6 of Public Law 97-140 provides that no lawfully installed dock or appurtenant structures lawfully installed on or before 29 December 1981 shall be required to be removed prior to 31 December 1989 from a water resource reservoir or lake administered by the Secretary of the Army. This law was amended by section 1134 (d) of P.L. 99-662 which provides that any such facilities that existed as of 17 November 1986 cannot be forced to be removed from public lands if it meets the three conditions below except where necessary for immediate use for public purposes or higher public use or for a navigation or flood control project:

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1. Such property is maintained in usable and safe condition.
2. Such property does not occasion a threat to life or property.
3. The holder of the permit is in substantial compliance with the conditions of the permit.

**If the permittee fails to comply with the conditions of the permit, the permit may be revoked and the structure removed at the permittee's expense.**

## **7. Shoreline Allocation**

The Shoreline Management Plan for Lake Oahe establishes the following shoreline allocations:

**a. Limited Development Areas:** Limited Development Areas are those areas in which private facilities and/or activities may be allowed consistent with paragraphs 9 Shoreline Use Permits and 10 Other Shoreline Activities of this document.

**b. Public Recreation Areas:** Public recreation areas are those areas designated for commercial concessionaire facilities, Federal, tribal, state, or other similar public use. Private shoreline use facilities and/or activities will not be permitted within or near designated or developed public recreation areas. The term "near" depends upon the terrain, road systems, and other local conditions. An adequate buffer area will be maintained to protect commercial concession operations from invasion by private exclusive use. Modification of landforms or vegetation by private individuals or groups of individuals is not permitted in public recreation areas. Commercial boat docks and marinas are permitted in public recreation and buffer areas. If a public recreation area is established near an existing limited development area, the private shoreline use facilities and/or activities will be allowed to remain.

**c. Protected Shoreline Areas:** Protected shoreline areas are set aside to maintain or restore aesthetic, fish and wildlife, cultural, historical, religious, and/or environmental values in accordance with the intent of the National Environmental Policy Act of 1969 (P.L. 91-190), the National Historic Preservation Act of 1966 (P.L. 89-665), as amended, the Archaeological Resources Protection Act of 1979 (P.L. 96-95), the American Indian Religious Freedom Act of 1978 (P.L. 95-341), Endangered Species Act of 1973 (P.L. 93-205) as amended, and the Native American Graves Protection and Repatriation Act of 1990 (P.L. 101-601) as amended. Closure of an area for the above stated reasons will be determined by the inspecting Park Ranger after the Corps of Engineers has consulted and coordinated with any affected Indian Tribe. Protected shorelines may also be designated to protect unstable shorelines from erosion, prevent development in areas that are subject to excessive siltation, rapid dewatering, exposure to high winds and wave currents, to protect areas in which development would interfere with commercial navigation, or to protect the public from injury. Closure of an area for the above reasons will be determined on a case-by-case basis by the inspecting Park Ranger. Closure of the area may be accomplished utilizing signs, fences, guardrails, or other means appropriate. Areas that pose a high probability of injury to the public will be identified and protected through closure to the public. Shoreline Use Permits for floating or fixed recreation facilities will not be

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allowed in protected areas. Some modification of vegetative communities by private individuals may be allowed if the Natural Resource Manager determines that the activity will not adversely impact the environment or physical characteristics for which the area was designated as protected.

**d. Prohibited Access Areas:** Prohibited access areas are those in which public access is not allowed or is restricted for health, safety or security reasons, or for the protection of unique resources. These could include hazardous areas near the dam, spillway, hydroelectric power stations, work areas, water intake structures, threatened and endangered species habitat, historic properties, and dangerous or collapsing lakeshore. No Shoreline Use Permits will be issued in prohibited access areas.

**8. Conditions for Changing Shoreline Zone Designation to Limited Development.** Requests for changes in the shoreline allocation shall be directed in writing to the Natural Resource Manager. The natural resource staff will review the request to ensure it complies with the criteria for changes listed below. If the natural resource staff recommends approval of the allocation change, the Natural Resource Manager will conduct a public hearing. Public notice of the hearing will be published in newspapers of the county in which the allocation change is being requested. The Natural Resource Manager will make the final decision on the allocation change and an approval or denial letter will be sent to the requestor within 60 days after the public hearing.

Criteria for determining changes in Shoreline Allocations for Limited Development are:

- a) The area requested to be changed may not already be under lease, license, or permit to another agency (i.e. ND Game and Fish Department, SD Dept. of Game, Fish, and Parks, US Fish and Wildlife Service, public recreation leases, etc.).
- b) The requested change cannot be in or adjacent to a public recreation area.
- c) The private land adjacent to the shoreline must be zoned by the appropriate municipality or county for residential units and the landowner(s) must request the change in shoreline allocation.
- d) The requestor must guarantee public access to public lands via a public road or recorded right of easement. The public road or easement must be indicated on the approved plat map. This plat map shall be provided along with the allocation change request.
- e) All proposals to change shoreline to limited development areas must be reviewed for compliance with the Endangered Species Act, the National Historic Preservation Act, and other public laws. Shoreline areas found to harbor endangered or threatened species, or found to contain cultural resources protected under the National Historical Protection Act will not be allocated for limited development. All proposals on Lake Oahe in South Dakota must coordinate with the S.D. Game, Fish, and Parks and receive concurrence for the requested area to be changed to Limited Development before it is brought to the Corps of Engineers.

**USACE makes no guarantee that any shoreline area will be designated as limited development.** Any landowner, real estate broker, development owner or manager or other seller of land adjacent to, or near Lake Oahe does not have the right to advertise or promise any

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purchaser an opportunity to obtain Shoreline Use Permits for any purpose including docks, footpaths, or other facilities. Previous commitments by any agency other than the USACE that the shoreline will be designated as limited development and thus available for Shoreline Use Permits are not valid and will not be honored. Temporary closures of approved limited development areas will be implemented upon identification of nesting or rearing habitat of any endangered species such as Interior least Tern or Piping Plover adjacent to, or within the permit area.

## **9. Shoreline Use Permits (General Guidance)**

The natural resource section of the Oahe Project Office may issue Shoreline Use Permits in shoreline areas allocated for limited development. Exception: Certain vegetation modification/mowing activities may be approved for protected shoreline areas. Permits will only be issued to individuals or groups which own private property adjacent to project lands or have access via public road or recorded right of easement which are allocated as limited development. Per Title IV, lands above elevation 1620' in South Dakota are managed by the South Dakota Game, Fish, and Parks Wildlife Division. Due to lands transferred to the State of South Dakota under Title IV, there will be no new Shoreline Use Permits issued in the State of South Dakota. All past issued permits will be grandfathered in, until land that permit is associated with is sold or legally relinquished, whereby the permit will become void and no new permit will be issued. Only certain facilities and/or activities are permitted under a Shoreline Use Permit (as outlined below). The Riverdale Real Estate Office and/or North Dakota/South Dakota Regulatory Offices may approve other facilities and/or activities (see Section 10).

If the Shoreline Use Permit is for a boat dock, the permit plate shall be attached to the dock, preferably at the front of the dock. If the permit is for a mooring buoy, vegetation modification/mowing, or erosion control, the permit plate shall be attached to a post facing the shoreline for ease of viewing by the inspecting Park Ranger.

**a. Water-Base Facilities:** Water-base facilities consist of individual and group docks, or mooring buoys as described below. Applicants must submit a Shoreline Use Permit Application, available from the Oahe Project Office, with a detailed plan of the facility. All water-based facilities on Lake Oahe must be floating facilities (individual docks, group docks, moorage buoys).

Each application will be considered according to location, shoreline and substrate characteristics, water depth and the impact to the general public. (See Appendix A for eligibility requirements, Appendix B for minimum design standards, and Appendix C for conditions of permit).

The Natural Resource Manager or his/her representative will designate the exact location of the facility. The facility must be maintained within the 50-foot area assigned. The permittee must have his/her facility in place within one year of the permit issuance date.

**(1) Individual Docks:** Only one dock will be permitted per household and only watercraft actually belonging to the permittee may be permanently moored at an individual dock.

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The Natural Resource Manager may require verification of boat ownership. Any boat lifts must be attached to the dock system.

**(2) Group Docks:** A group dock can significantly reduce overall construction and maintenance costs for individual members as compared to a number of separate docks. In certain cases, group docks may be required in areas where carrying capacities or other reasons do not allow room for individual docks. Permits may be issued to groups of two or more individuals or families desiring such a joint moorage facility. The group must meet the location eligibility requirements listed for a Shoreline Use Permit. Participants in a group dock are not eligible for an additional individual dock. The allowable size of a group dock will be determined by the Natural Resource Manager and will depend of the number of participants and the proposed location of the dock.

**(3) Mooring Buoys:** A mooring buoy may be authorized if the applicant meets all location eligibility requirements for a Shoreline Use Permit. The mooring buoy must meet all federal and state regulations, be at least 18 inches out of the water and be placed as to not interfere with the navigation of the waterway.

**(4) Protection of Property:** Owners of permitted facilities may take necessary precautions to protect their property from theft, vandalism or trespass, but may in no way preclude the public right of pedestrian or vessel access to the water surface of public land adjacent to the facility. Signs indicating “private dock” may be used for the purpose of identifying to the public that the dock is private.

**(5) Density of Development:** The density of private water-base facilities in limited development areas will depend upon and be consistent with the ecology and aesthetics of the particular area. The density of facilities will not be more than 50 percent of the limited development area in which they are located. Density will be measured by determining the linear feet of shoreline as compared to the width of facilities plus associated moorage arrangements that restrict the full unobstructed use of that portion of the shoreline. Spacing between water-base facilities must be at least 50 feet. In all cases, sufficient open area will be maintained for safe maneuvering of water craft. Docks should not extend out from shore more than one third of the width of a cove at normal recreation or multipurpose pool. Spacing may be varied by the Natural Resource Manager to allow for safe boat maneuverability and water level fluctuation. In those limited development areas that have reached or exceeded the maximum number of permits allowed, no new permits or additions to permits will be granted.

**b. Land-Base Activities:** All alterations or modifications to public lands are prohibited without written approval of the Natural Resource Manager. The only exception to this is that drift debris and any form of garbage may be removed without approval. Certain vegetation modification/mowing and erosion control activities are allowed on public lands. These are described below. These activities are allowed only in areas allocated as limited development or protected shoreline. Applicants must submit a Shoreline Use Permit Application, available from the Oahe Project Office, with a detailed plan of the proposed alteration or modification.



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**(1) Vegetation Modification:** Allowable vegetation modification of public lands include mowing and removal of safety hazards. No change in landform such as grading, excavation or filling is authorized by this permit. (See Appendix A for eligibility requirements and Appendix C for conditions of permit).

**(a) Mowing:** The permittee may mow a maximum of 75ft. from the structure. A four foot wide path may be mowed down to the shoreline with a 25 foot area mowed at the shoreline for shoreline use. The Natural Resource Manager or his/her representative may restrict mowing to prevent damage to the public lands. Vegetation mowed and/or cleared must be removed from public lands and disposed of properly.

When issued a permit for vegetative modification, the permittee will delineate the government property line, as surveyed and marked by the government, in a clear but unobtrusive manner approved by the Natural Resource Manager and in accordance with the conditions or the permit. All methods for delineating the boundary line for vegetation modification must be completed within 30 days of the permit issuance date. The Natural Resource Manager is authorized to deviate from these requirements where unusual circumstances exist. The permit shall become null and void if the work is not completed within that period.

When vegetation modification on public lands is accomplished by chemical means, the modification will be in accordance with all appropriate Federal, State and local laws, rules and regulations. Use of controlled chemicals must be by a licensed applicator only. Any use of chemicals will require the advanced written approval of the Natural Resource Manager. The type of chemicals used, and the time and location of their use will be documented and sent to the Oahe Project Office.

**(b) Safety Hazards:** Approval from the Natural Resource Manager must be obtained prior to the removal of any trees, branches, and shrubs for safety hazards. Removal of trees, branches, and shrubs to improve the view of the lake is prohibited.

**(2) Erosion Control:** Shoreline Use Permits may be issued for some erosion control work done on public lands. A Shoreline Use Permit will not obviate the need for a Department of the Army permit to perform various activities as listed under paragraph 10(b). Persons wishing to do erosion control work should contact the Natural Resource Manager's office to determine if the Department of the Army Permit is needed in addition to a Shoreline Use Permit. Erosion control may be accomplished through the planting of vegetation, the placement of riprap, or the placement of retaining walls.

**(a) Vegetation:** Grasses, shrubs, and in some cases, trees may be planted for erosion control. Vegetation planted on public lands becomes the property of the United States Government.

**(b) Riprap:** Riprap is the placement of clean natural rock, free of all foreign material, for erosion control.

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**(c) Retaining Walls:** Material to be used must be approved by the Natural Resource Manager prior to the wall being constructed. Treated lumber on retaining walls must be sealed with marine grade paint or stain due to being subjected to constant contact with the water. All construction needs to take place at least 100 feet from the waters edge to prevent wood shavings from entering the water. If metal is used, it must not contain any harmful substances. (Any treated lumber used in North Dakota must be permitted from Environmental Health Section of the North Dakota Department of Health prior to being approved by the Oahe Project.)

**c. Transfer of Permits:** Shoreline Use Permits are non-transferable. Permits become null and void upon sale or transfer of the permitted structure or the death of the permittee and his/her legal spouse. If ownership of a permitted structure is sold or transferred, the permittee will notify the Natural Resource Manager of the action prior to the new owner assuming possession. The new owner must apply for a Shoreline Use Permit within 14 days of the ownership transfer or remove the structure and restore the site within 30 days from the date of ownership transfer. If there is a waiting list for the limited development area in which the permit was located, the next person on the list will be notified of the opportunity to apply for a Shoreline Use Permit. Applicants on the waiting list will be contacted in the order they are placed on the list until an application is received. If all those on the waiting list refuse to apply for a permit, then the new owner of the previously permitted structure may apply for the permit (but is subject to all rules, restrictions, and requirements for a new permit). The use of community docks is encouraged to help keep waiting lists short and reduce the congestion of private structures on public lands/waters.

## **10. Other Shoreline Activities.**

Certain other shoreline facilities and/or activities require approval from the Riverdale Real Estate Office or the North/South Dakota Regulatory Office. These activities are listed below.

**a. Activities Requiring Real Estate License:** All authorized real estate shoreline activities shall be in accordance with DM1130-2-5b, "Issuance of Minor Licenses and Permits at Water Resource Projects", i.e. The 1-Stop License Program. The established available listing of activities/uses/facilities (AUFS) under this program is as follows:

- Buried Domestic Water Lines
- Stairways/Steps/Walkways
- Personal Electric Lines
- Light Pole/Service Pole/Outlet Pole
- Pump house/Pressure Tank

**b. Activities Requiring Regulatory Approval:** Various activities such as the dredging of the lake bottom, the deposition of dredged or fill material into the lake, the placement of water intake lines, the placement of permanent marine railways, the placement of shoreline erosion structures and materials below elevation 1620m.s.l., etc., require Department of the Army approval under Section 10, Rivers and Harbors Act of 3 March 1899 (33USC 403) and/or

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Section 404 of the Clean Water Act (33 USC 1344). An application for a Department of the Army Permit can be obtained from the Oahe Project Office.

## **11. Prohibited Items.**

The following items and activities, which create the appearance of private ownership of public lands, or are destructive to public lands, are prohibited on public lands adjoining limited development and protected shorelines of Lake Oahe:

- a. Structures including, but not limited to, permanent boat piers, patios, fences, flagpoles, sidewalks, driveways, buildings, sheds, outhouses, barbecue grills, fire rings, septic tanks or drainage systems, underground sprinkler system, satellite dishes, and swimming pools.
- b. The storage of any object, including but not limited to, firewood, lawn furniture, picnic tables, playground equipment, boats and trailers, houseboats, trash piles, trash cans, mobile home trailers and campers, lawn ornaments, horseshoe pits and stakes.
- c. Gardens of all types.
- d. The disposal of litter, leaves, brush, branches, trash, or any other debris.
- e. The spreading of sand or any other material to construct a beach.
- f. The operation of motorized vehicles off authorized roads.

## **Exemptions:**

(1) Request for waivers for special access to a permitted facility, based on health conditions, will be reviewed on a case-by-case basis by the Natural Resource Manager. Access will be restricted to one trail in the immediate vicinity of the permitted facility.

(2) Use of vehicle off authorized roads is allowed two times per season, once to place the structure in the water at the beginning of the season and once to remove the structure from the water at the end of the season. In a situation where it is necessary to access the shoreline with vehicles or equipment to repair the structure, the permittee must request a work permit. The Oahe Project Office may issue a work permit for a specific activity.

## **12. Shoreline Use Permit Fees and Length of Term.**

A fee will be charged to help defray the expenses associated with the issuance and administration of permits by the Corps of Engineers. This fee is not refundable. Fees are subject to change and rescission at such time as a new fee schedule is developed and published in the Federal Register. At present the fee schedule is as follows:

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a. Water-base and Vegetation Modification/Mowing Combination: \$30.00 for a term of (5) years.

b. Water-base facilities: \$35.00 for a term of five (5) years.

c. Vegetation Modification/Mowing: \$10.00 for a term of five (5) years.

d. Erosion Control: Erosion control will be permitted for the life or period of continual ownership of the permittee and his/her legal spouse. There is no fee for this permit.

## **13: Removal of Moorage Facilities.**

All water-base facilities and anchorage systems must be removed from the lake no later than November 1<sup>st</sup> of each year. Water-base facilities can be stored on public lands above the ordinary high water mark during the months of September – May only. If the facility is not being used/ maintained, it must be removed from public lands.

## **14. Human Habitation.**

Neither a permitted facility nor any houseboat, cabin cruiser, or other vessel moored thereto shall be used as a place of human habitation or as a full or part-time residence or in any manner which gives the appearance of converting the public property, on which the facility is located, to private property.

## **15. Compliance Inspections.**

Project staff will be allowed to cross the permittee's property as necessary to conduct periodic compliance inspections on permitted facilities and/or activities. The permittee will be notified of any deficiencies, at which time he/she will have 30 days to correct the deficiency to the satisfaction of the Natural Resource Manager. No deviation or changes from approved plans will be allowed without prior written approval of the Natural Resource Manager. Any conditions determined to be a safety hazard will be corrected or removed within seven days of notification. Failure to comply may result in revocation of the permit.

## **16. Shoreline Management Plan Review and Update.**

The shoreline management plan will be revised every five years to determine the necessity to update the plan and shoreline allocations. Individuals or groups may at any time identify activities not specifically addressed in the Shoreline Management Plan and request that the Natural Resource Manager review the activity for future consideration in the plan. In all instances, affected Indian Tribes shall be consulted and coordinate with whenever revision to this Plan is considered.

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## **17. Additional Considerations.**

Any situation not specifically addressed in this plan will be dealt with on a case-by-case basis. The Natural Resource Manager will make the final determination regarding these situations.

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## APPENDIX A

### APPLICATION FOR A SHORELINE USE PERMIT

#### Eligibility Requirements/Guidance:

1. To be granted a Shoreline Use Permit in a limited development area, the applicant must either:
  - a. own or lease property contiguous to project lands, or
  - b. have access to project lands via a public road.
2. The proposed facility or activity must be in accordance with the Oahe Project Office Shoreline Management Plan.
3. If the application is approved, the permittee will be sent a copy of the permit and one permit tag to be attached in accordance with the “Shoreline Use Permit Conditions: - #17.”
4. Activity will not commence until after the permit is approved. Unauthorized work on public property is subject to penalties contained in Title 36 of the Code of Federal Regulations.
5. The permittee will notify the Oahe Project Office prior to making any changes to the permitted facility or activity. A Park Ranger will inspect the permitted facility or activity to insure compliance with the approved plans.

#### **Water-Base Facilities (Docks or Mooring Buoys)-** The applicant is required to do the following:

1. Complete the “Application for a Shoreline Use Permit” (ENG 4264-R), checking the appropriate box under “Water-Base Activities.”
2. Prepare plans for the proposed dock or mooring buoy (see example). All docks, mooring buoys, and anchorage devices must meet all requirements listed in Appendix B (Minimum Design Standards for Water-Base Facilities) of this packet and prepare the site location map. **An on-site meeting may be necessary to determine exact site location.**
3. Submit the application, the plans, the site location map and a check or money order payable to “FAO USAED-OMAHA DISTRICT” in the amount of \$35.00.

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## Land-Base Activities:

- a. **Vegetation Modification/Mowing** – The applicant is required to do the following:
  1. Complete the “Application for a Shoreline Use Permit” (ENG 4264-R), checking the appropriate box under “Land-Base Activities”.
  2. Complete the “Proposed Plan for Vegetation Modification”, Please refer to Appendix C, (Shoreline Use Permit Conditions) paying particular attention to conditions 1 thru 19, 28 and 29 when completing the proposed plan and site location map. **An on-site meeting may be necessary to determine exact site location.**
  3. Submit the application, the proposed plan, the site location map and a check or money order payable to “FAO USAED-OMAHA DISTRICT” in the amount of \$10.00.
  
- b. **Erosion Control** – The applicant is required to do the following:
  1. Complete the “Application for a Shoreline Use Permit” (ENG 4264-R), checking the “Erosion Control” box under “Land-Base Activities”.
  2. Complete the “Proposed Plan for Erosion Control” and prepare the site location map. **An on-site meeting may be necessary to determine exact site location.**
  3. Prepare a regulatory permit application for work below 1617’ mean sea level.
  4. Submit the application, the proposed plan, and the site location map.

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APPLICATION FOR SHORELINE USE PERMIT			
<small>(ER 1130-2-406)</small> <i>(See reverse side for Privacy Act Statement)</i> <i>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.</i>			
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) <input type="checkbox"/> NEW <input type="checkbox"/> RENEWAL			
<b>WATER-BASE</b> <span style="margin-left: 200px;"><b>LAND-BASE</b></span>			
<input type="checkbox"/> SINGLE-OWNER DOCK	<input type="checkbox"/> SKI JUMP	<input type="checkbox"/> UNDERBRUSHING	<input type="checkbox"/> MOWING
<input type="checkbox"/> COMMUNITY DOCK	<input type="checkbox"/> SKI COURSE	<input type="checkbox"/> PLANT /LANDSCAPING	<input type="checkbox"/> FOOT PATH
<input type="checkbox"/> MOORING BUOY	<input type="checkbox"/> SWIM FLOAT	<input type="checkbox"/> EROSION CONTROL	
<input type="checkbox"/> MOORING POST	<input type="checkbox"/> DUCK BLIND		
<input type="checkbox"/> 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)	
<b>(DO NOT WRITE BELOW THIS LINE)</b>			
<b>PERMIT</b>			
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)	

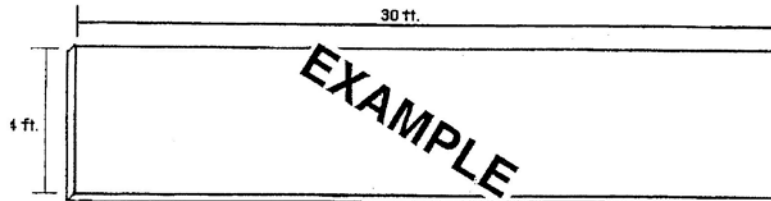
# DRAFT

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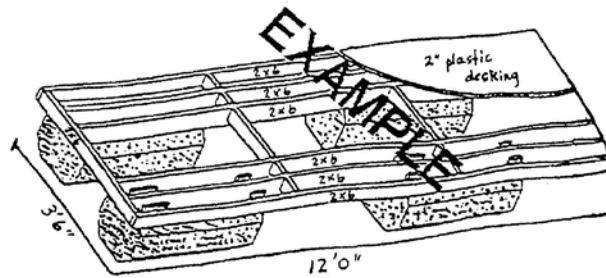
## DATA REQUIRED BY THE PRIVACY ACT OF 1974

<b>AUTHORITY</b>	<b>The Rivers and Harbors Act of 1894 as amended and supplemented (33 U.S.C.1)</b>
<b>PRINCIPAL PURPOSE</b>	<b>Provide the Corps of Engineers with information for contact of the responsible person applying for and/or receiving a Shoreline Use Permit. The description of the activity is needed to assure conditions of the permit requirements are met.</b>
<b>ROUTINE USES</b>	<b>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 a basis for issuing permits. It provides auditing information for this program that has financial involvement.</b>
<b>DISCLOSURE</b>	<b>Disclosure of information is voluntary. However, failure to provide the requested information will preclude the issuance of a Shoreline Use Permit.</b>

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Dock is composed of aluminum decking, frame and railing. Floatation is totally enclosed with High-Density Polyethylene and has an 8-year manufacturer's warranty.



NOTE: NO METAL OR PLASTIC BARRELS OR DRUMS ALLOWED. ALL FLOATATION DEVICES MUST BE STATE AND FEDERAL APPROVED.

A photo accompanied by a description is also acceptable.

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## PROPOSED PLAN FOR VEGETATION MODIFICATION PERMIT

NAME \_\_\_\_\_ SUBDIVISION \_\_\_\_\_ LOT # \_\_\_\_\_  
TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_ SECTION \_\_\_\_\_

The permittee will delineate the government property line as surveyed and marked by the government, in a clear but unobtrusive manner approved by the Natural Resource Manager and in accordance with the conditions of the permit.

The permittee may have vegetation modification for a maximum of 75ft. from the structure. A 4foot wide path may be mowed down to the shoreline with a 25 foot area mowed at the shoreline for shoreline use.

All methods for delineating the boundary line for vegetation modification must be completed within 30 days of the permit issuance date. The Natural Resource Manager is authorized to deviate from these requirements where unusual circumstances exist. The permit shall become null and void if the work is not completed within that period.

When vegetation modification on project lands is accomplished by chemical means, the modification will be in accordance with all appropriate Federal, state and local laws, rules and regulations. Use of controlled chemicals must be by a licensed applicator only. Any use of chemicals will require the advanced written approval of the Natural Resource manager. The type of chemicals used, and the time and location of their use, will be documented and sent to the Oahe Project Office.

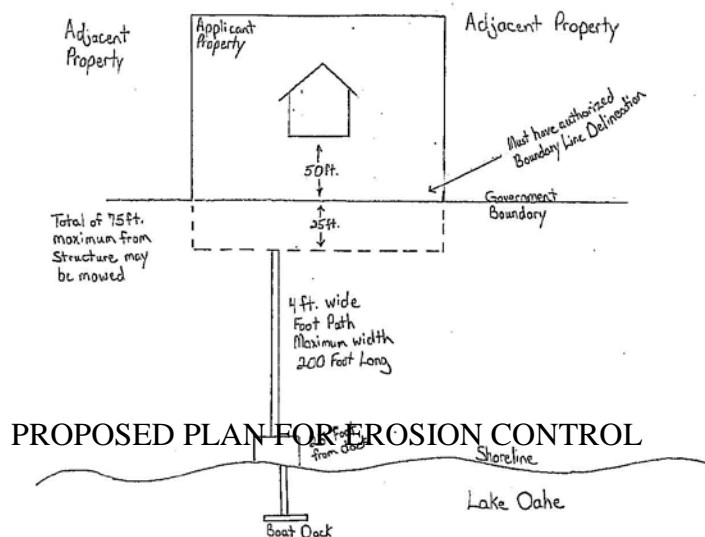
Approval from the Natural Resource Manager must be obtained prior to the removal of any trees, branches, and shrubs for safety hazards. Removal of trees, branches, and shrubs to improve the view of the lake is prohibited.

ACTIVITY (Check appropriate boxes)

FIREBREAK ( ) LAKE ACCESS PATHWAY ( ) SAFETY HAZARD ( ) VEGETATION ENCROACHMENT ( )

**Please prepare detailed drawing of plan for boundary delineation including measurements.**

Sample Diagram of Vegetation Modification



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NAME: \_\_\_\_\_ SUBDIVISION: \_\_\_\_\_ LOT#: \_\_\_\_\_  
TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_ SECTION \_\_\_\_\_

VEGETATION – If checked, indicate species to be planted:  
(Grasses, shrubs, and in some cases trees may be planted.)

RIPRAP – If checked, indicate type of rock to be used:  
(Only clean, natural rock, free of all foreign material may be used.)

RETAINING WALL – If checked, indicate type of material to be used:  
(Treated lumber on retaining walls must be sealed with marine grade paint or stain due to being subjected to constant contact with the water. All construction needs to take place at least 100 feet from the water's edge to prevent wood shavings from entering the water. If metal is used, it must not contain any harmful substances.)

Any treated lumber used in North Dakota should be permitted from Environmental Health Section of the North Dakota Department of Health prior to being approved by the Oahe Project.

PLEASE PREPARE DETAILED DRAWING OF PLAN

## APPENDIX B

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## MINIMUM DESIGN STANDARDS FOR WATER-BASE FACILITIES

The size of all structures will be kept to a minimum to limit intrusion on the water surface. No structure can extend over the water a distance greater than 50 feet or 1/3 of the distance across the cove, whichever is less.

All water-base facilities will meet or exceed the minimum design standards as follows

### **BOAT DOCKS:**

#### **1. FLOTATION:**

a. Floats and the flotation material for all docks shall be fabricated of materials manufactured for marine use. The float and its 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 shall not be subject to damage by animals under normal conditions for the area. All floats and the flotation material used in them shall be fire resistant. Any float that is within 40 feet of a line carrying fuel shall be 100% impervious to 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 floats are authorized until it or its flotation material is no longer serviceable, at which time it shall be replaced with a float that meets the conditions listed above. For any floats installed after the effective date of this specification, repair or replacement shall be required when it or its flotation material no longer performs its designated function or it fails to meet the specifications for which it was originally warranted. Exceptions to this rule are other state or local codes that apply.

b. Docks shall have a freeboard (the distance between the water surface and the walking surface of the dock) of a lifetime minimum of 18". When dead load freeboard falls below the minimum, approved flotation shall be added or docks replaced/adjusted so as to bring the structure back above set minimums.

(1) Dead load is the weight of a floating structure as it sits in the water without people, snow or other forms of live weight. It includes the structure and anything permanently attached such as storage boxes, anchorage devices, etc.

(2) Live loads are the active and changing loads that may be imposed on a structure. Live load is people weight, any special loads that people might carry, and ice and snow.

c. Minimum freeboard under full dead and live load shall be 6".

d. The deck shall support a 400-pound concentrated load applied on any one square foot of surface.

e. When a 400-pound load is applied 1' from the end of the dock/finger, or in the center

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of the dock/finger there shall be an initial loss of freeboard less than 4" and a lifetime loss of less than 6".

f. When a 200-pound load is applied at one outer corner of the dock/finger, there shall be an initial difference of 2" or less from corner to corner and a lifetime difference of 3" or less.

g. At dead load, the slope lengthwise or crosswise shall be no more than 1" in 10'. The dead load freeboard over the entire dock shall not vary more than plus or minus 1" from and average freeboard. The outer ends of the finger docks shall be equal to or no more than 2" higher than the main-walk where they connect. Across the outer ends of the finger docks there shall be no more than 5/8" maximum difference in freeboard per 3' of finger width under dead load.

**2. WALKWAYS:** Walkways, gang planks, approaches will be at least three feet in width, be structurally sound and be physically attached to the dock.

**3. FRAME:** Structural frames shall be of concrete, galvanized steel, aluminum, high strength flexible plastic, or wood. The wood frames need to have an appropriate factory-applied preservative. All framing shall be connected in such a manner as to resist movement that could damage the structural integrity.

**4. DECKING:** Decking may be factory-treated lumber (2"x 6" or 2" x 8"), aluminum extrusion, recycled plastic, high strength one-piece plastic sections, or other approved drainable dock materials of equal strength and anti-skid qualities. Opening in decking materials shall be a maximum of 1/2". Where gaps between docks are greater than 1 1/2", a cover/transition plate must be used. Any treated lumber used in North Dakota should be permitted from Environmental Health Section of the North Dakota Department of Health prior to being approved by the Oahe Project.

## **5. ANCHORAGE:**

a. Anchorage may be of any type appropriate for the site-specific conditions. It shall be designed to resist the forces imposed by a 77MPH (15pounds/sq.ft.) wind from any direction applied to the full length.

b. The use of vegetation or the placement of permanent structures on the shoreline as an anchorage system is not allowed. All anchorage systems should be removed from the shoreline each year.

## **6. MISCELLANEOUS:**

a. Storage compartments (dock boxes) are permissible on docks, but will not exceed 24" in width, 30" in height, and 8 feet in length. The dock boxes will be installed in such a way that at least 1/2 of the walkway must be clear.

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- b. Boat tie downs or cleats shall be commercially constructed of metal, or approved equal, and approved quantity, strength, and size appropriate for the dock.
- c. No permanent grills are permitted on the docks.
- d. Permanent furniture, playground equipment and electrical wiring are permitted on docks. The furniture and playground equipment must be securely fastened to the dock and ½ of the walkway must remain clear. Electrical work must be certified and the electrician's certificate sent to the Oahe Project Office.
- e. Docks, if painted, will be painted a solid neutral color so as not to detract from or compete with, the aesthetic appeal of the shoreline. Painting/staining must be done off public lands.

## **MOORING BUOYS & ANCHORAGE:**

**MOORING BUOY:** A mooring buoy must meet all federal and state regulations, be at least 18 inches out of the water and be placed in such a manner as to not interfere with the navigation of the waterway. The mooring buoy will be white with a horizontal blue band around the circumference and centered midway between the top of the buoy and the waterline.

**ANCHORAGE:** The anchor will be adequate to hold the mooring buoy and vessel within a 100-foot radius of the authorized mooring area in a 77 MPH (15 pounds/sq. ft.) wind. The anchor will be made of prefabricated or pre-cast concrete with any metal (mooring eyes) consisting of corrosion resistant material. All forms used to cast the mold will not leave any residual on the concrete.

**The Corps of Engineers reserves the right to change or modify these standards as new designs, methods, or other data are provided from a reputable source.**

## Appendix C

### Shoreline Use Permit Conditions

1. This permit is granted solely to the applicant for the purpose described on the attached permit.
2. The permittee agrees to and does hereby release and agree to save and hold the Government harmless from any and all causes of action, suits at law or equity, or claims or demands or from any liability of any nature whatsoever for or on account of any damages to persons or property, including a permitted facility, growing out of the ownership, construction,



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- operation or maintenance by the permittee of the permitted facilities and/or activities.
3. Ownership, construction, operation, use and maintenance of a permitted facility are subject to the Government's navigation servitude.
  4. No attempt shall be made by the permittee to forbid the full and free use by the public of all public waters and/or lands at or adjacent to the permitted facility or to unreasonably interfere with any authorized project purposes, including navigation in connection with the ownership, construction, operation or maintenance of a permitted facility and/or activity.
  5. The permittee agrees that if subsequent operations by the Government require an alteration in the location of a permitted facility and/or activity or if in the opinion of the district commander a permitted facility and/or activity shall cause unreasonable obstruction to navigation or that the public "interest so requires, the permittee shall be required, upon written notice from the district commander to remove, alter, or relocate the permitted facility, without expense to the Government.
  6. The Government shall in no case be liable for any damage or injury to a permitted facility which may be caused by or result from subsequent operations undertaken by the Government for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage. This includes any damage that may occur to private property if a facility is removed for noncompliance with the conditions of the permit.
  7. Ownership, construction, operation, use and maintenance of a permitted facility and/or activity are subject to all applicable Federal, state and local laws and regulations. Failure to abide by these applicable laws and regulations may be cause for revocation of the permit.
  8. This permit does not convey any property rights either in real estate or material; and does not authorize any injury to private property or invasion of private rights or any infringement of Federal, state or local laws or regulations, nor does it obviate the necessity of obtaining state or local assent required by law for the construction, operation, use or maintenance of a permitted facility and/or activity.
  9. The permittee agrees to construct the facility within one year of the permit issuance date. The permit shall become null and void if construction is not completed within that period. Further, the permittee agrees to operate and maintain any permitted facility and/or activity in a manner so as to provide safety, minimize any adverse impact on fish and wildlife habitat, natural, environmental or cultural resources values and in a manner so as to minimize the degradation of water quality.
  10. The permittee shall remove a permitted facility within 30 days, at his/her expense, and restore the waterway and lands to a condition accepted by the resource manager upon termination or revocation of this permit or if the permittee ceases to use, operate or maintain a permitted facility and/or activity. If the permittee fails to comply to the satisfaction of the

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resource manager, the district commander may remove the facility by contract or otherwise and the permittee agrees to pay all costs incurred thereof.

11. The use of a permitted boat dock facility shall be limited to the mooring of the permittee's vessel or watercraft and the storage, in enclosed locker facilities, of his/her gear essential to the operation of such vessel or watercraft.
12. Neither a permitted facility nor any houseboat, cabin cruiser, or other vessel moored thereto shall be used as a place of habitation or as a full or part-time residence or in any manner which gives the appearance of converting the public property, on which the facility is located, to private use.
13. Facilities granted under this permit will not be leased, rented, sub-let or provided to others by any means of engaging in commercial activity(s) by the permittee or his/her agent for monetary gain. This does not preclude the permittee from selling total ownership to the facility.
14. Floats and the flotation material for all docks and boat mooring buoys shall be fabricated of materials manufactured for marine use. The float and its 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 shall not be subject to damage by animals under normal conditions for the area. All floats and the flotation material used in them shall be fire resistant. Any float which is within 40 feet of a line carrying fuel shall be 100% impervious to 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 floats are authorized until it or its flotation material is no longer serviceable, at which time it shall be replaced with a float that meets the conditions listed above. For any floats installed after the effective date of this specification, repair or replacement shall be required when it or its flotation material no longer performs its designated function or it fails to meet the specifications for which it was originally warranted.
15. Permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. The Resource Manager will notify the permittee of any deficiencies, at which time he/she will have 30 days to correct the deficiency to the satisfaction of the Resource Manager. No deviation or changes from approved plans will be allowed without prior written approval of the Natural Resource Manager. Any conditions determined to be a safety hazard will be corrected or removed within seven days of notification. Failure to comply will result in revocation of the permit.
16. Floating facilities shall be securely attached to the shore in accordance with the approved plans by means of moorings which do not obstruct general public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited.
17. The permit plate shall be attached to the dock, preferably at the front of the dock. If the permit is for a mooring buoy, vegetation modification/mowing or erosion control, the permit

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plate shall be attached to a post facing the shoreline for ease of viewing by the inspecting Park Ranger.

18. No vegetation other than that prescribed in the permit will be damaged, destroyed or removed. No vegetation of any kind will be planted, other than that specifically prescribed in the permit.
19. No change in land form such as grading, excavation or filling is authorized by this permit.
20. This permit is non-transferable. Upon the sale or other transfer of the permitted facility or the death of the permittee and his/her legal spouse, this permit is null and void.
21. By 30 days written notice, mailed to the permittee by certified letter, the district commander may revoke this permit whenever the public interest necessitates such revocation or when the permittee fails to comply with any permit condition or term. The revocation notice shall specify the reasons for such action. If the permittee requests a hearing in writing to the district commander through the resource manager within the 30 day period, the district commander shall grant such hearing at the earliest opportunity. In no event shall the hearing date be more than 60 days from the date of the hearing request. Following the hearing, a written decision will be rendered and a copy mailed to the permittee by certified letter.
22. Notwithstanding the condition cited in condition 21 above, if in the opinion of the district commander, emergency circumstances dictate otherwise, the district commander may summarily revoke the permit.
23. When vegetation modification on these lands is accomplished by chemical means, the program will be in accordance with appropriate Federal, state and local laws, rules and regulations.
24. The resource manager or his/her authorized representative shall be allowed to cross the permittee's property, as necessary, to inspect facilities and/or activities under permit.
25. When vegetation modification is allowed, the permittee will delineate the government property line in a clear, but unobtrusive manner approved by the resource manager and in accordance with the project Shoreline Management Plan.
26. If the ownership of a permitted facility is sold or transferred, the permittee or new owner will notify the Resource Manager of the action prior to finalization. The new owner must apply for a Shoreline Use Permit within 14 days or remove the facility and restore the use area within 30 days from the date of ownership transfer.
27. If permitted facilities are removed for storage or extensive maintenance, the resource manager may require all portions of the facility be removed from public property.
28. All facilities and anchorage systems must be removed from the lake no later than 1 November of each year. Facilities can be stored on public lands above the ordinary high

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water mark during the months of September – May only. If the facility is not being used/maintained, it must be removed from public lands.

29. The placement of permanent grills is not permitted on docks. Permanent furniture, electrical wiring and playground equipment is permitted on docks, however, they must be securely fastened and an electrician's certificate must be provided to the Oahe Project Office showing that the wiring meets the National Electric Code.
30. A mooring buoy must meet all federal and state regulations, be at least 18 inches out of the water and be placed in such a manner as to not interfere with the navigation of the waterway. The mooring buoy will be white with a horizontal blue band around the circumference and centered midway between the top of the buoy and the waterline. The anchor will be adequate to hold the mooring buoy and vessel within a 100-foot radius of the authorized mooring area in a 77 MPH (15 pounds/sq. ft) wind. The anchor will be made of prefabricated or pre-cast concrete with any metal (mooring eyes) consisting of corrosion resistant material. All form used to cast the mold will not leave any residual on the concrete.
31. Use of vehicle off authorized roads is allowed two times per season, once to place the dock facility in the water at the beginning of the season and once to remove the dock facility from the water at the end of the season.
32. The permittee shall notify the Oahe Project within 30 days of any change of his/her residence mailing address. Failure to do so could result in cancellation of the permit.
33. Electrical service and equipment leading to or on private mooring facilities must not pose a safety hazard nor conflict with other recreational use. Electrical installations must be weatherproof and meet all current applicable electrical codes and regulations. The facility must be equipped with quick disconnect fittings mounted above the flood pool elevation. All electrical installations must conform to the National Electric Code and all state, and local codes and regulations. In those states where electricians are licensed, registered, or otherwise certified, a copy of the electrical certification must be provided to the resource manager before a Shoreline Use Permit can be issued or renewed. The resource manager will require immediate removal or disconnection of any electrical service or equipment that is not certified (if appropriate), does not meet code, or is not safely maintained. All new electrical lines will be installed underground. This will require a separate real estate instrument for the service right-of-way. Existing overhead lines will be allowed, as long as they meet all applicable electrical codes, regulations and above guidelines, to include compatibility and safety related to fluctuating water levels.

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**APPENDIX D**

**LAKE OAHE MAP DIRECTORY  
LIMITED DEVELOPMENT AND RECREATION AERAS**

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# Shoreline Use Plan

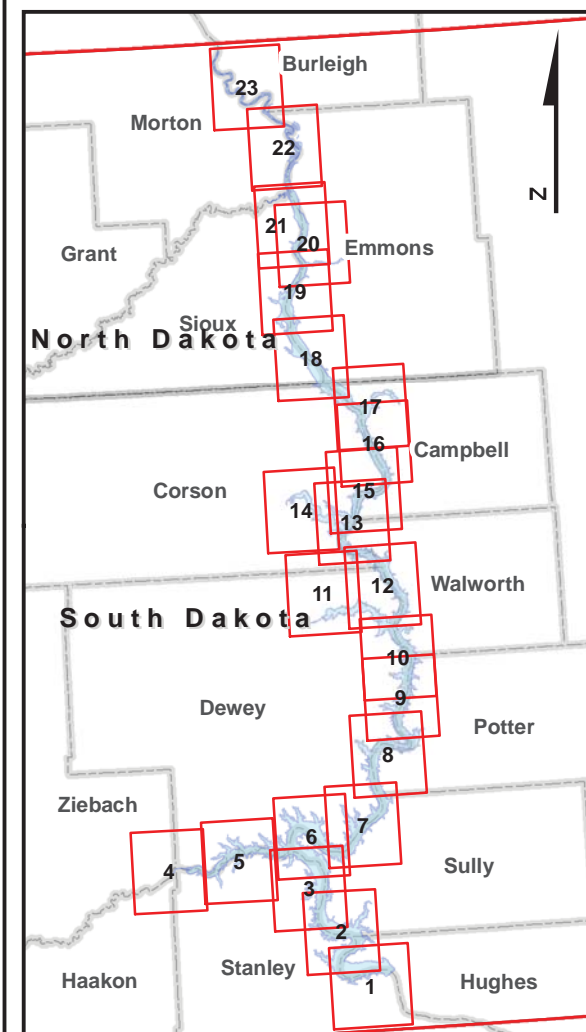
## Oahe Project / Lake Oahe

### Land Classification

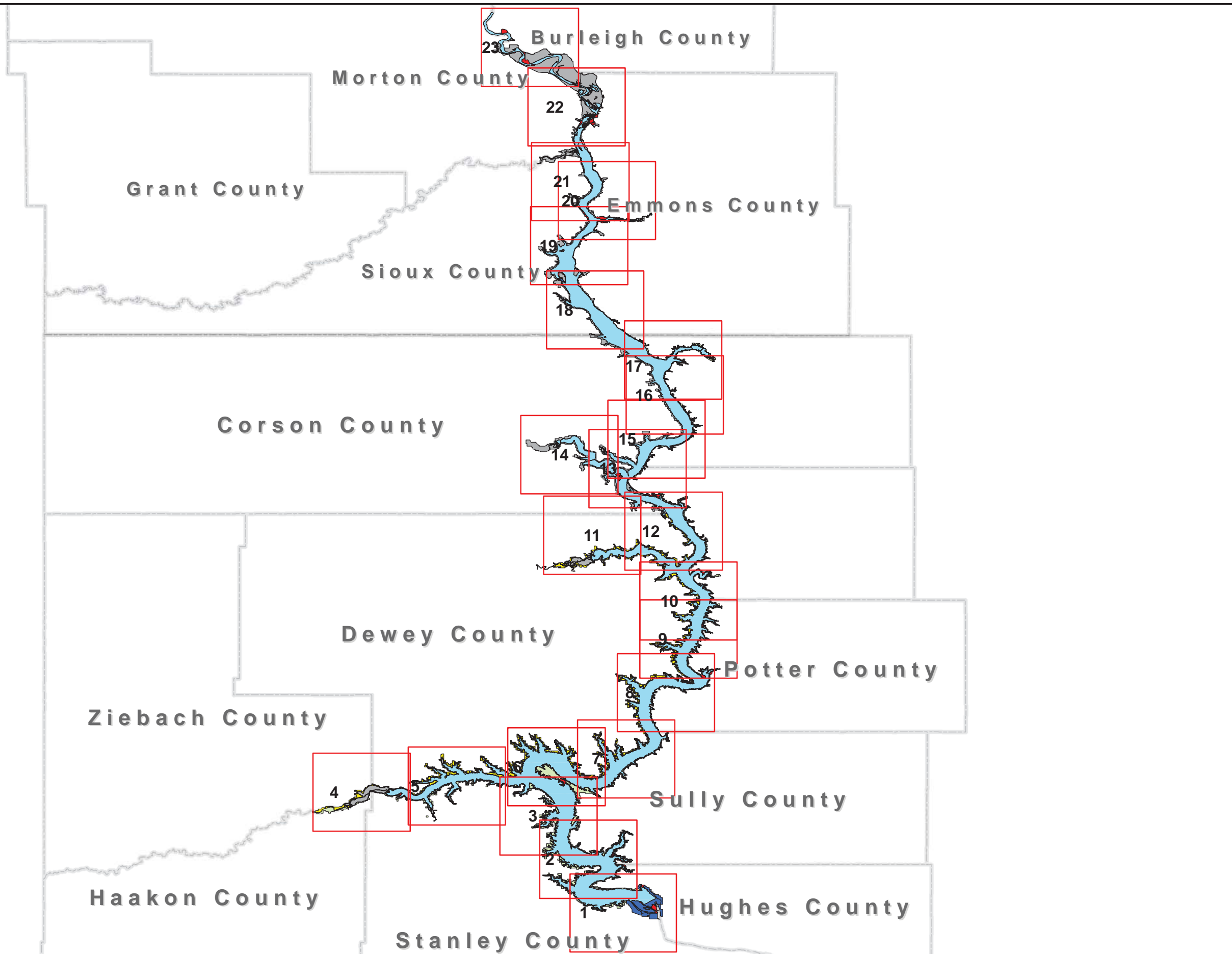
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- Public Recreation
- Limited Development
- Protected Shoreline-COE Operated-1620' MSL
- Prohibited Access
- Protected Lands CRST/BIA
- Lake Oahe



1 in = 18 miles



Created: 10 Feb 2016 by jdr



# Shoreline Use Plan

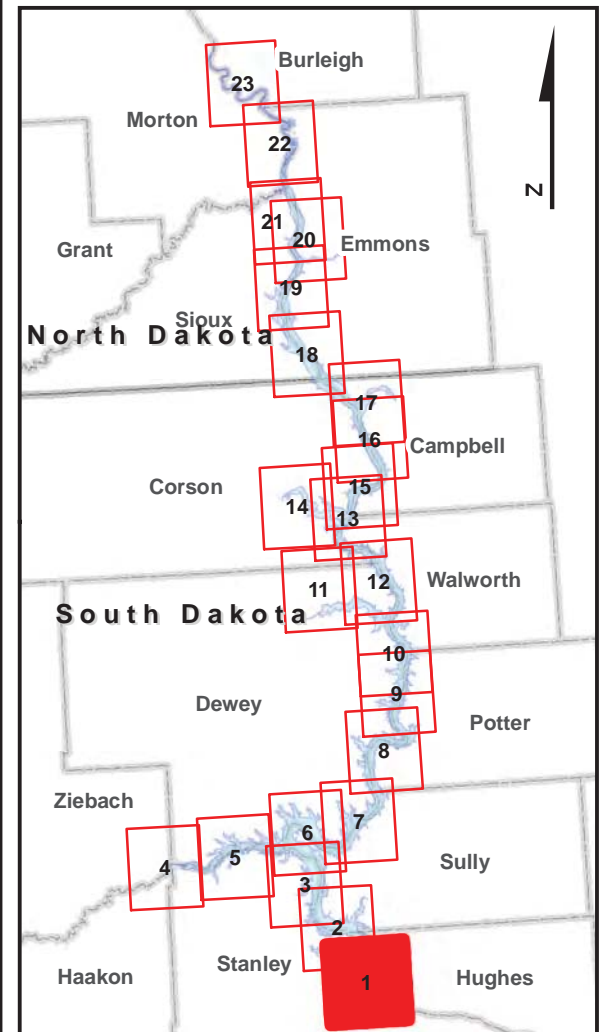
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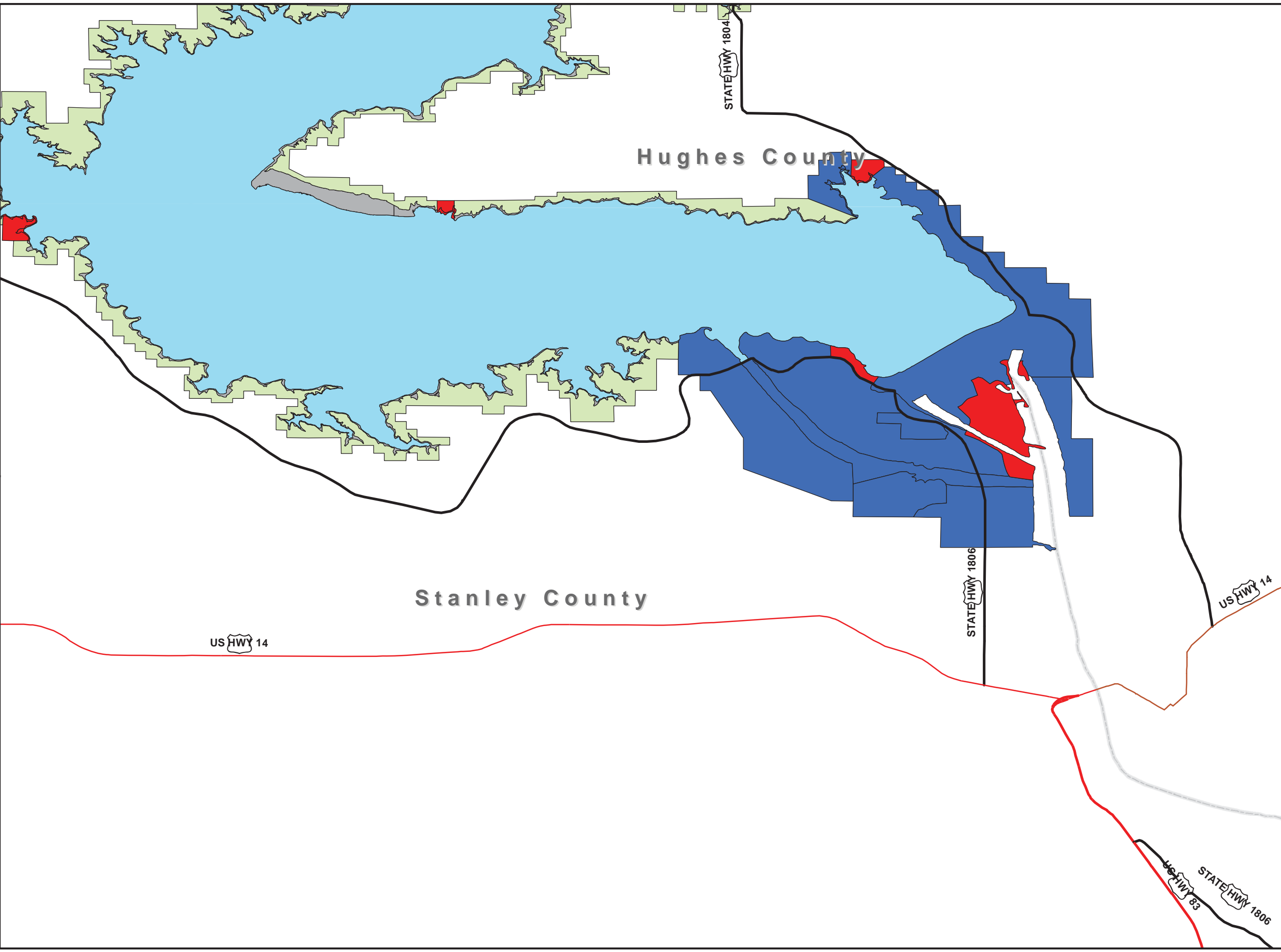
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1 in = 2 miles



Created: 10 Feb 2016 by jdr



# Shoreline Use Plan

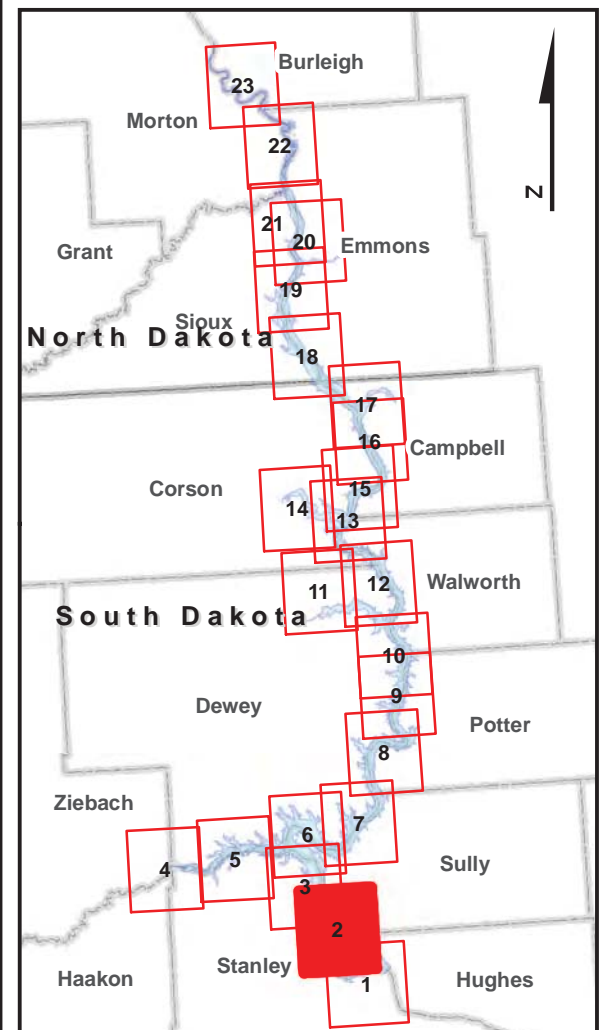
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1 in = 2 miles



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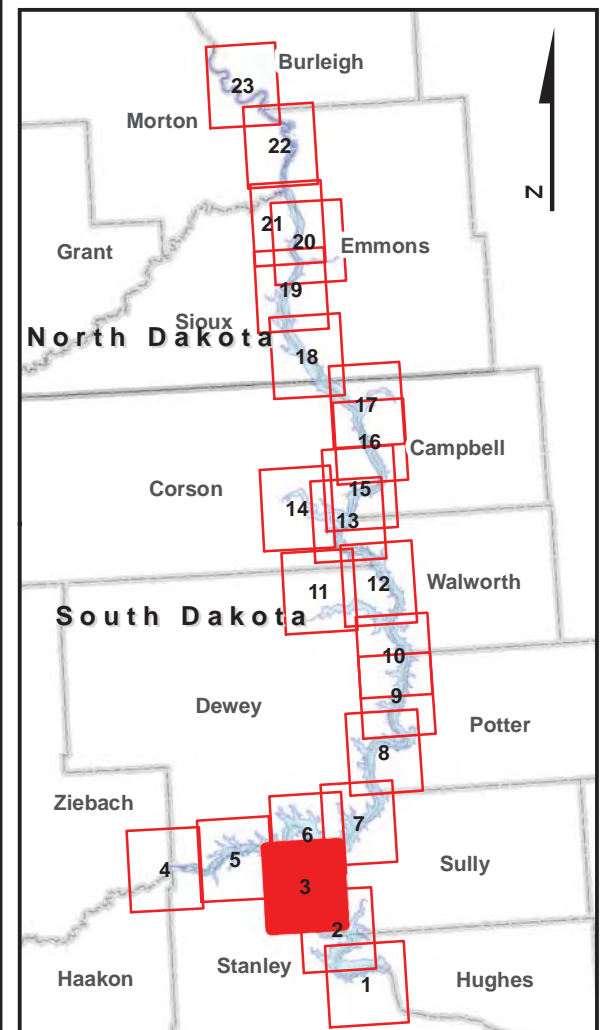
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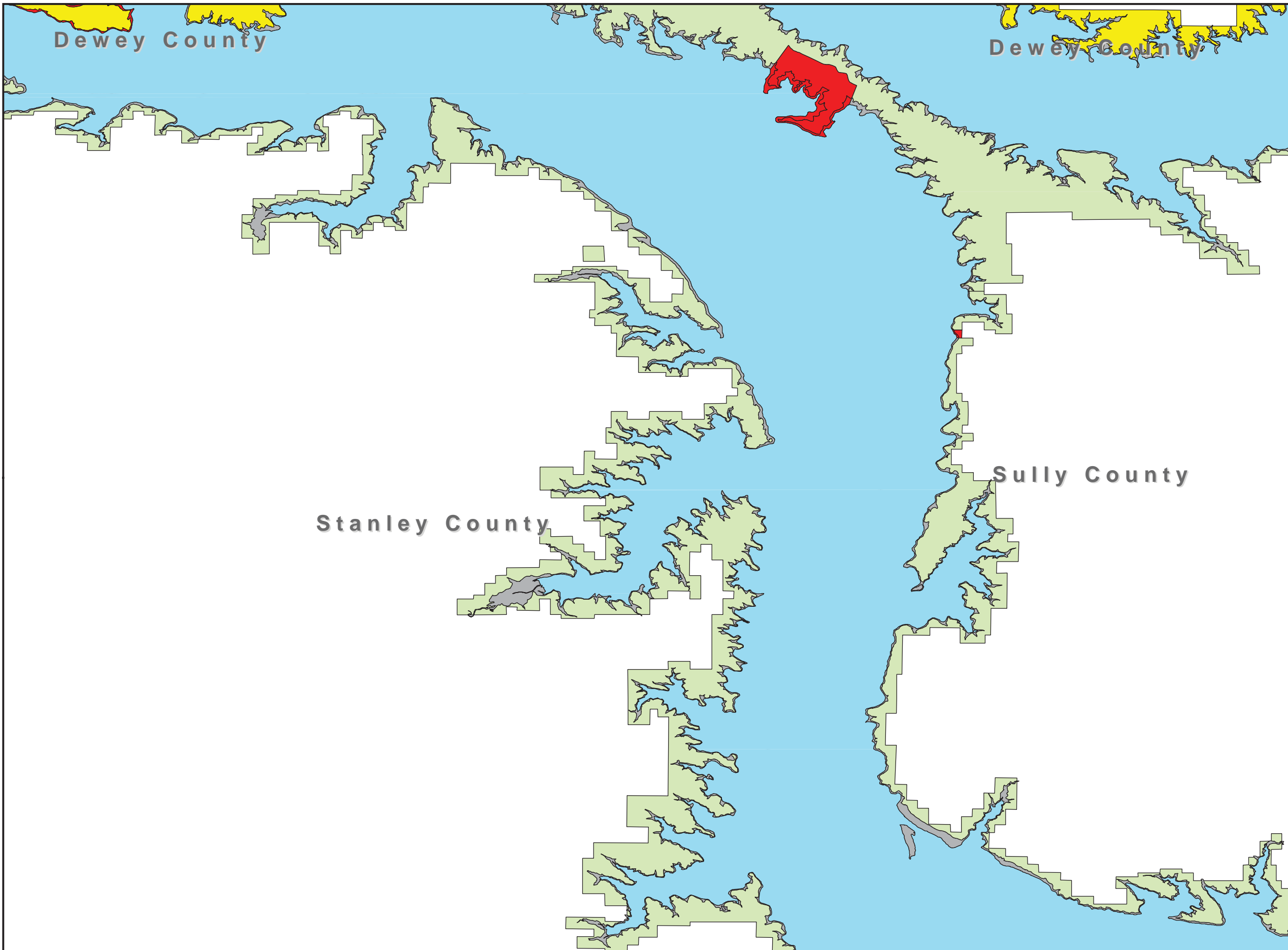
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1 in = 2 miles



Created: 10 Feb 2016 by jdr



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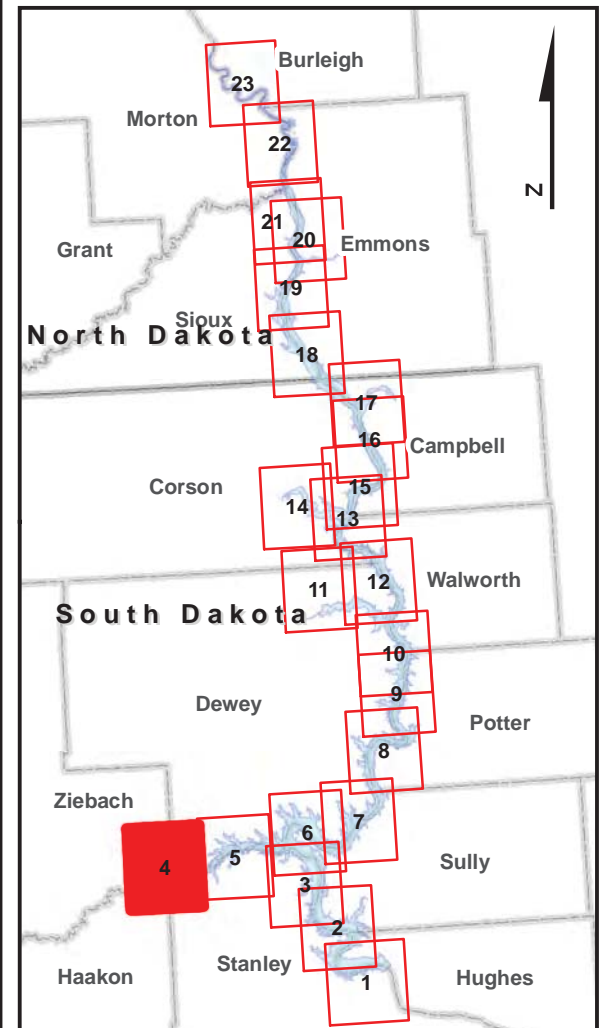
## Oahe Project / Lake Oahe

### Land Classification

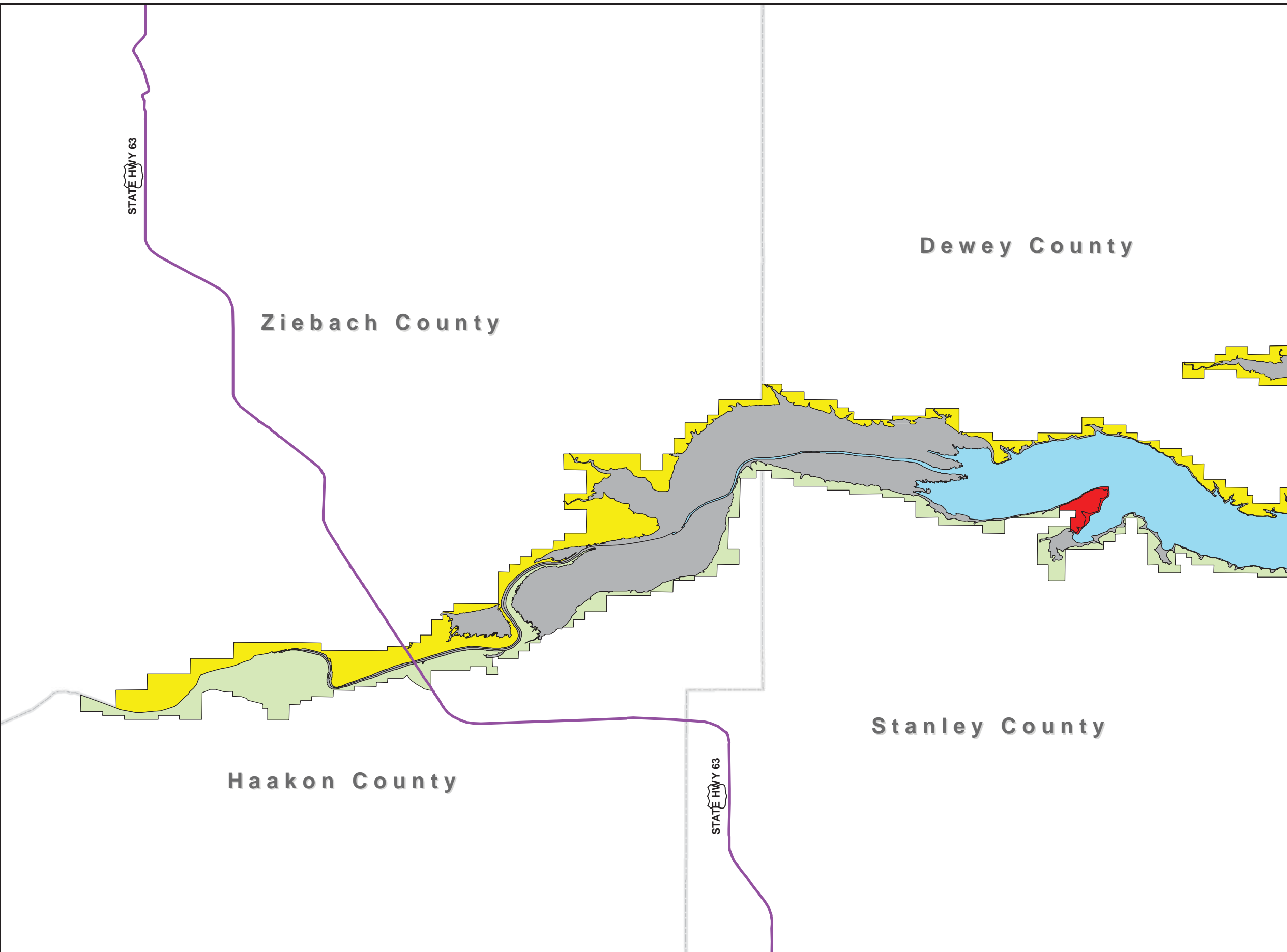
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- Lake Oahe



1 in = 2 miles



Created: 10 Feb 2016 by jdr



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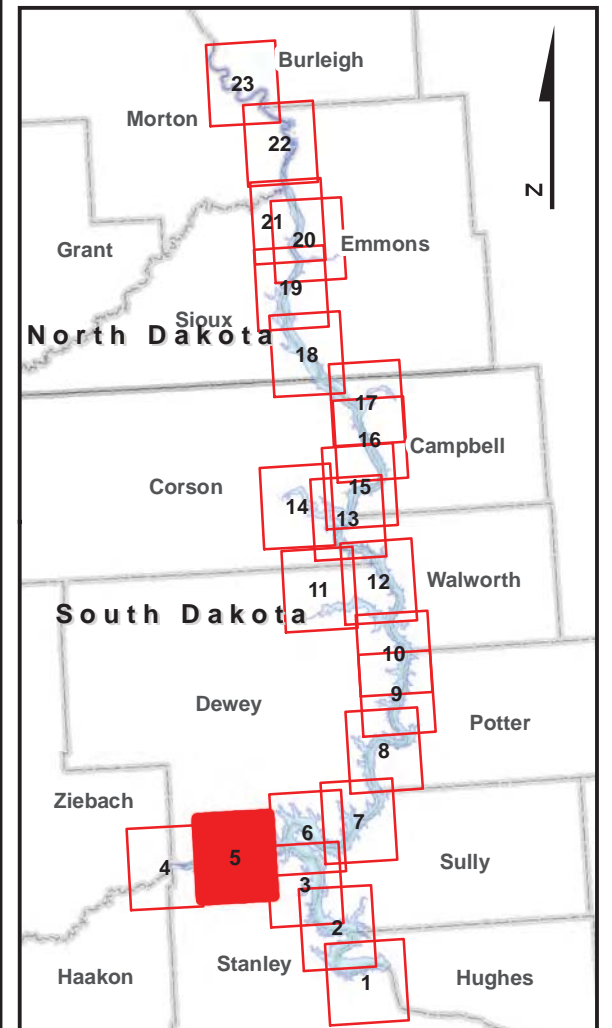
## Oahe Project / Lake Oahe

### Land Classification

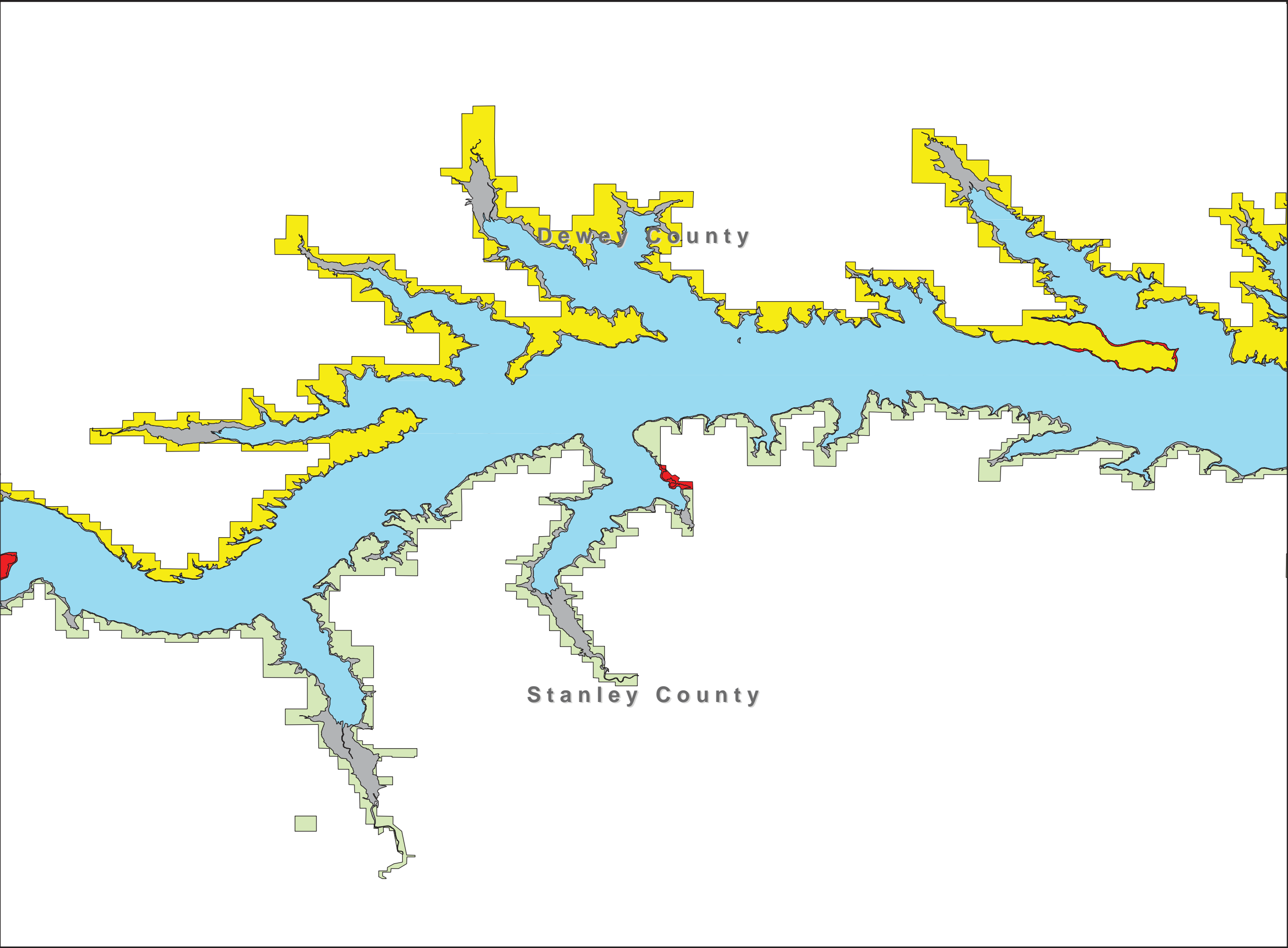
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1 in = 2 miles



Created: 10 Feb 2016 by jdr



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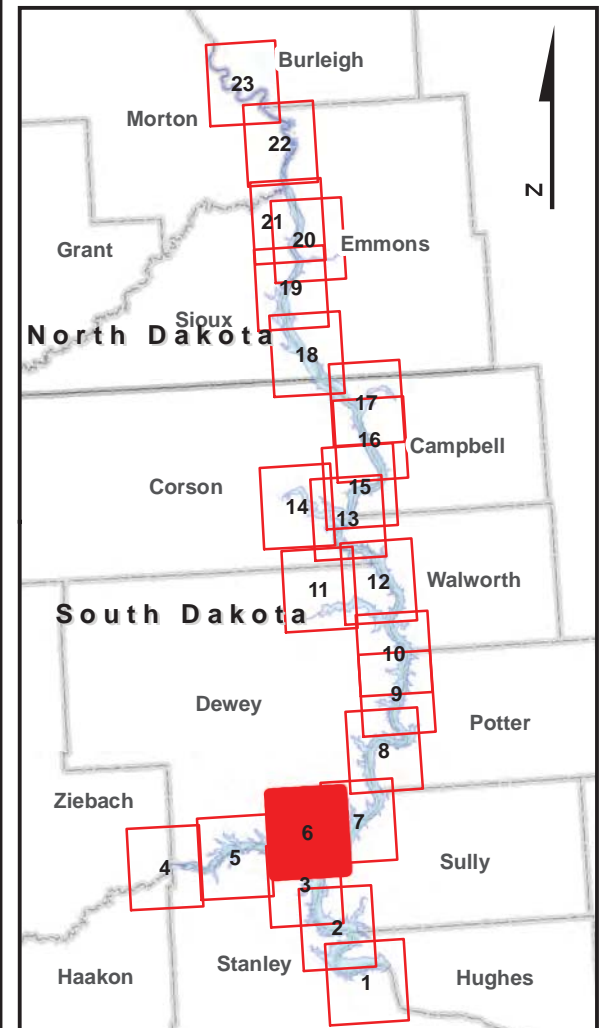
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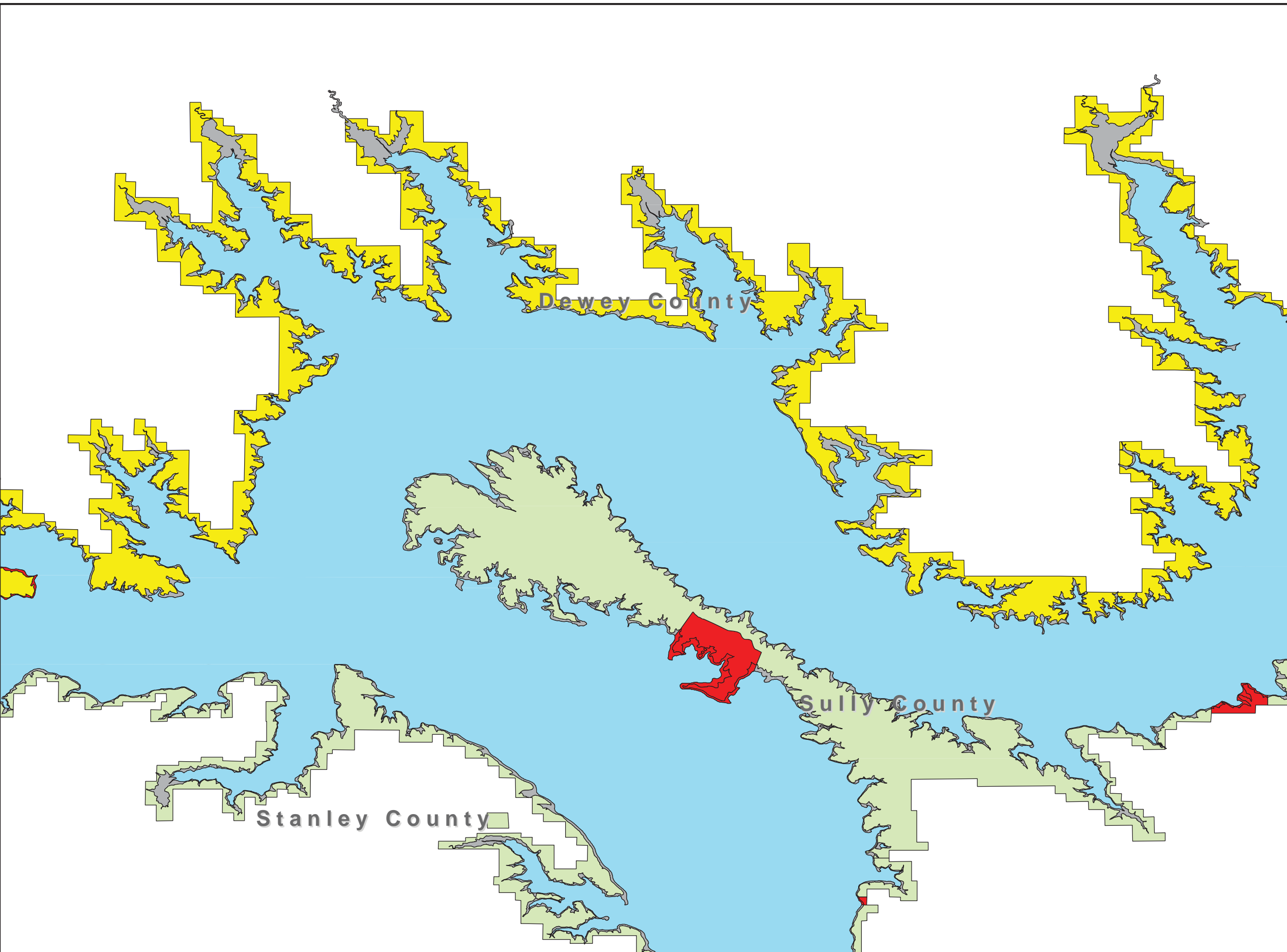
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- Protected Shoreline-COE Operated-1620' MSL
- Prohibited Access
- Protected Lands CRST/BIA
- Lake Oahe



1 in = 2 miles



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# Shoreline Use Plan

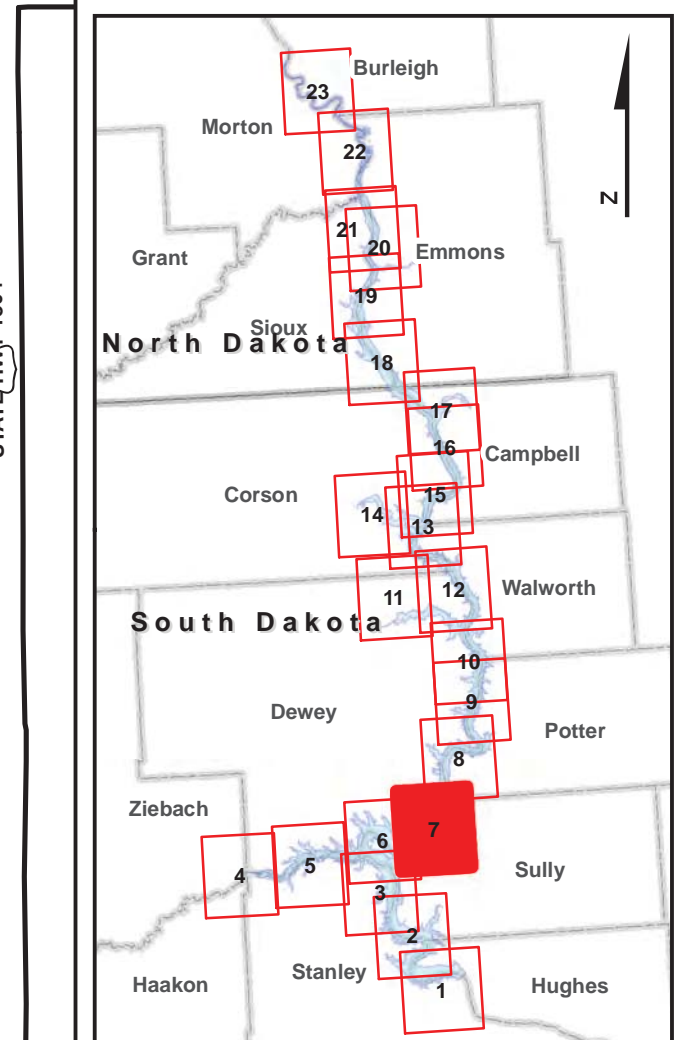
## Oahe Project / Lake Oahe

### Land Classification

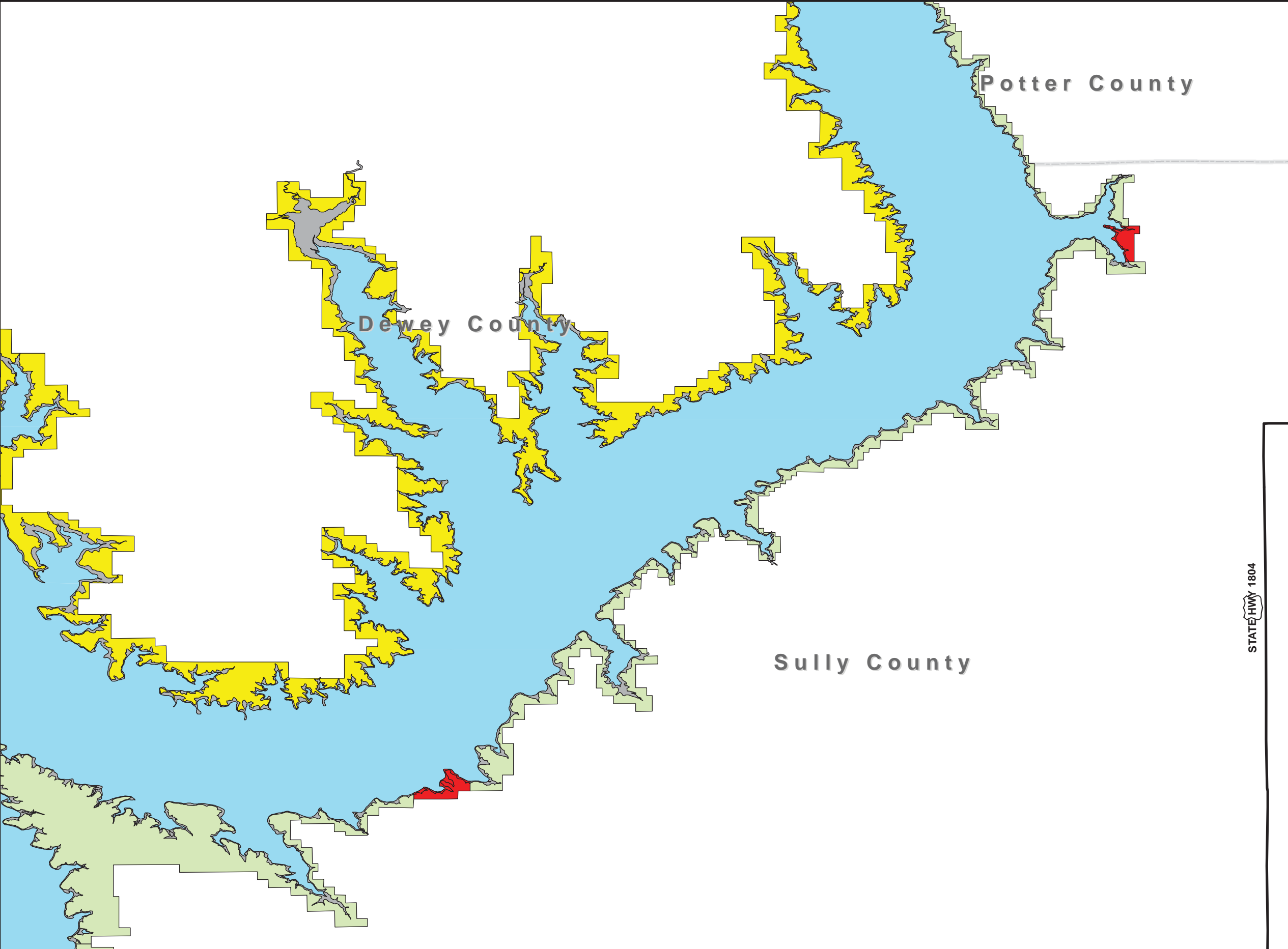
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1 in = 2 miles



STATE HWY 1804



# Shoreline Use Plan

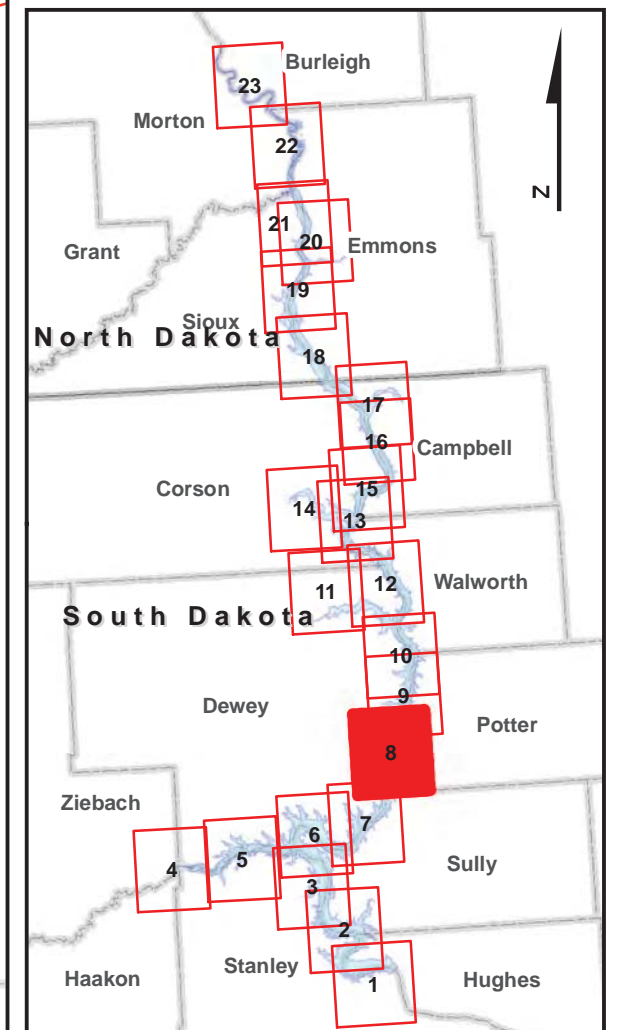
## Oahe Project / Lake Oahe

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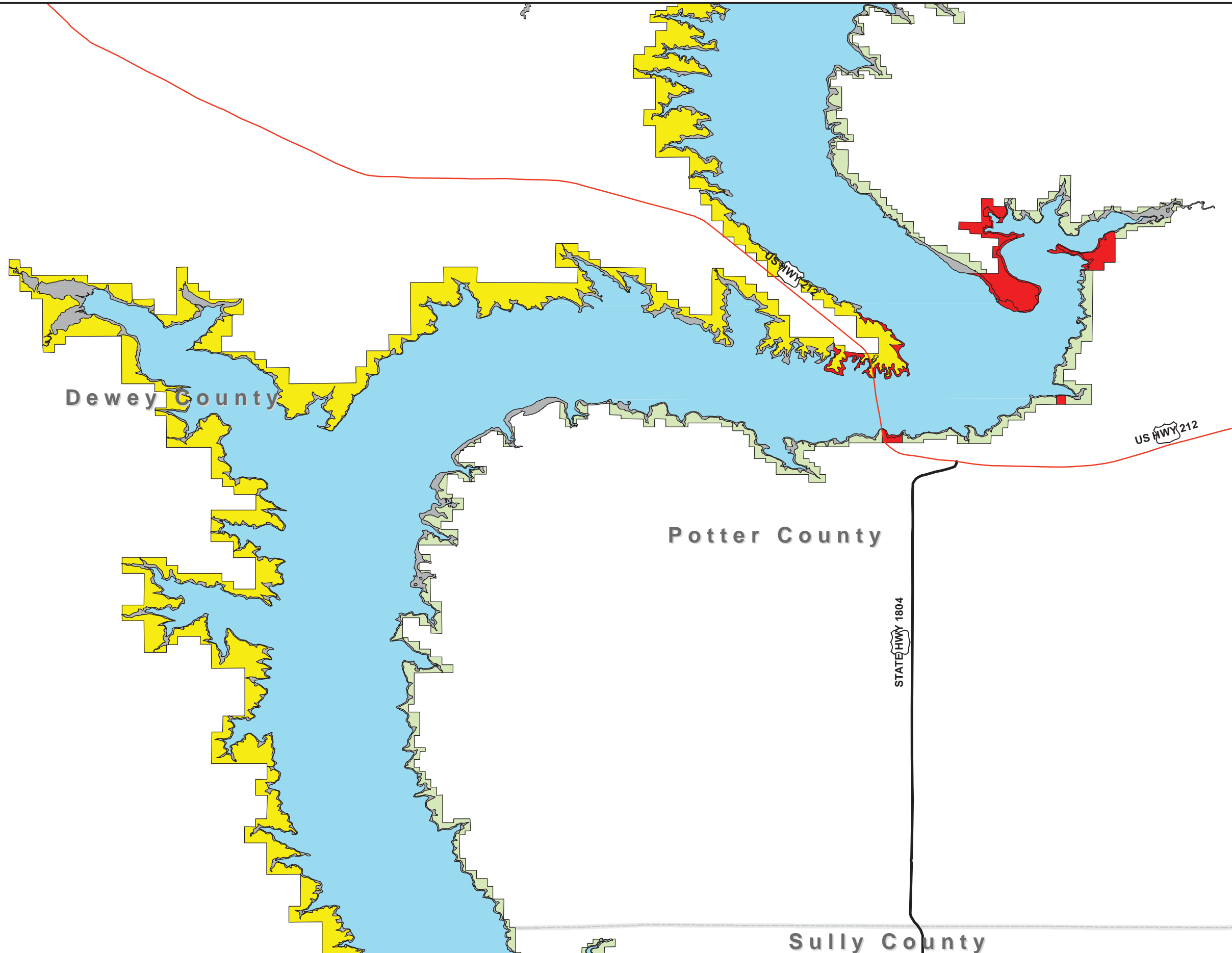
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# Shoreline Use Plan

## Oahe Project / Lake Oahe

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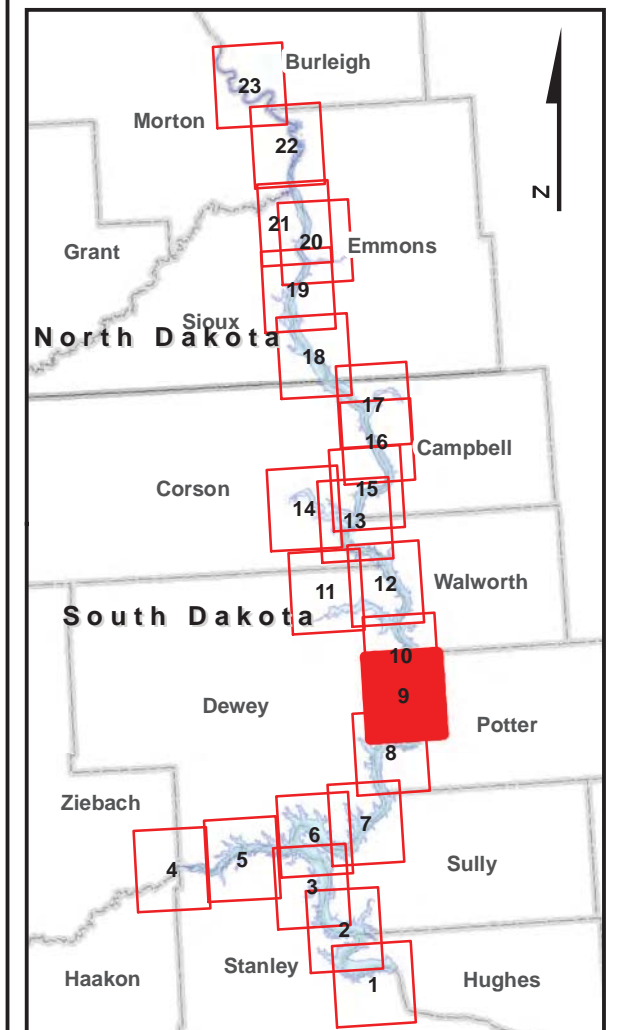
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1 in = 2 miles

Dewey County

Potter County



# Shoreline Use Plan

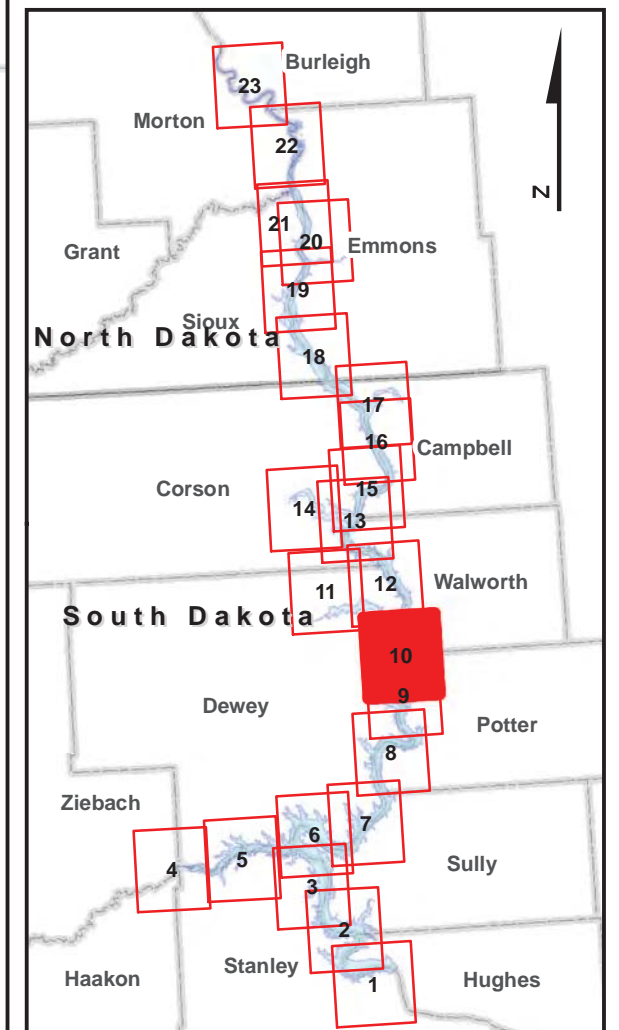
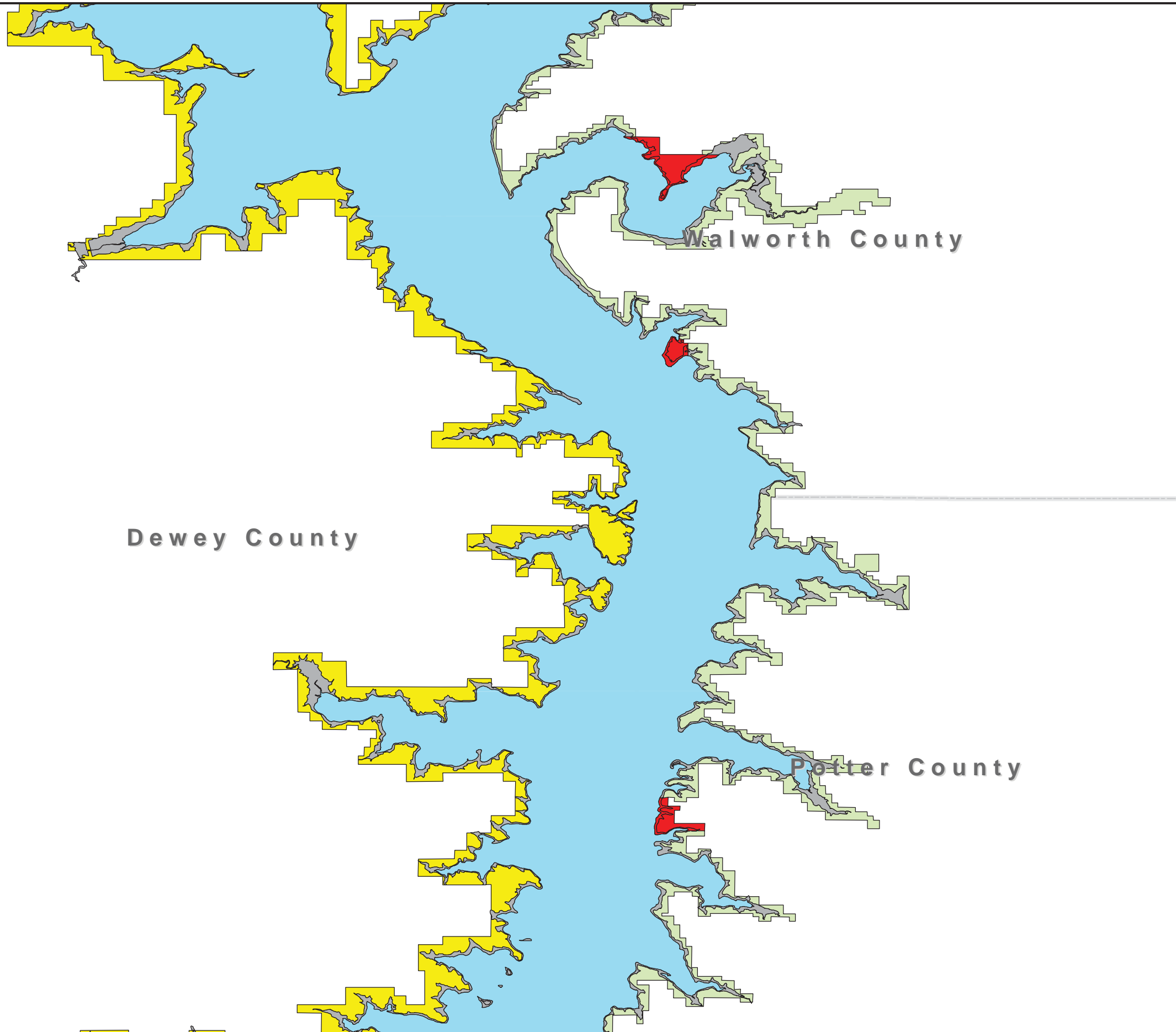
## Oahe Project / Lake Oahe

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1 in = 2 miles





# Shoreline Use Plan

## Oahe Project / Lake Oahe

Corson County

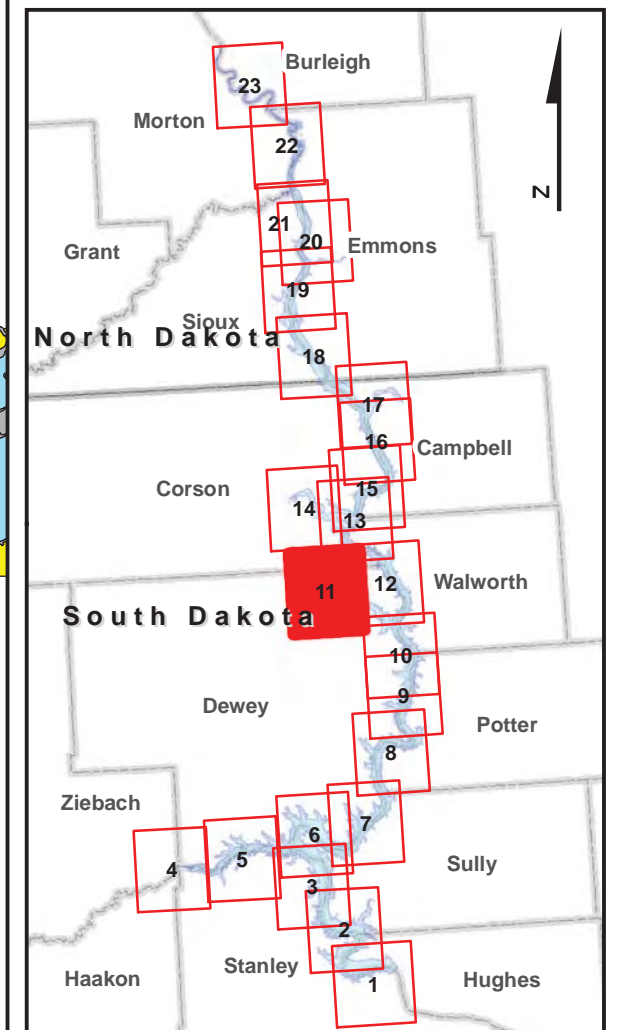
Dewey County

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1 in = 2 miles



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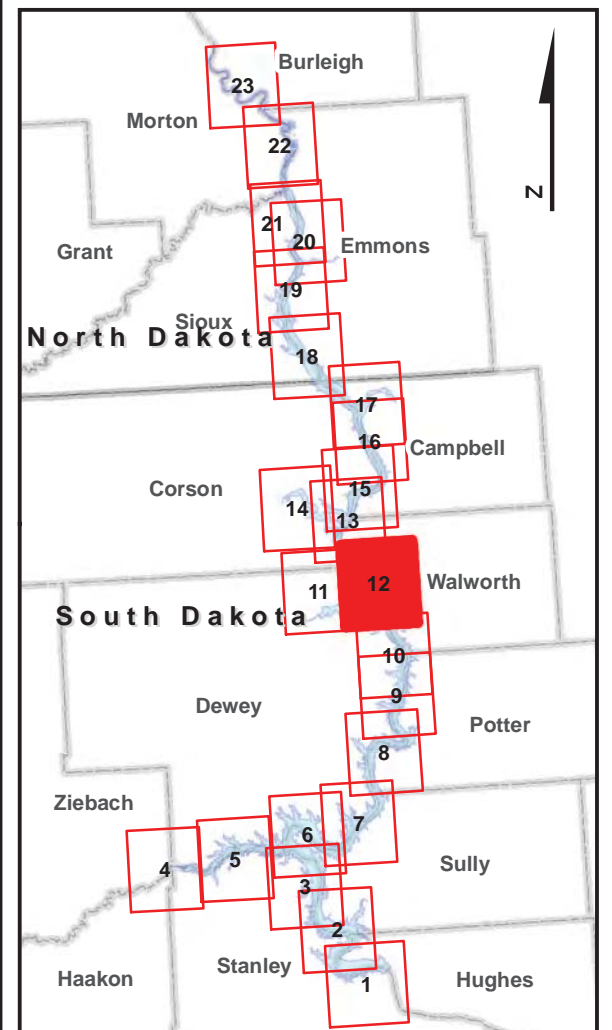
## Oahe Project / Lake Oahe

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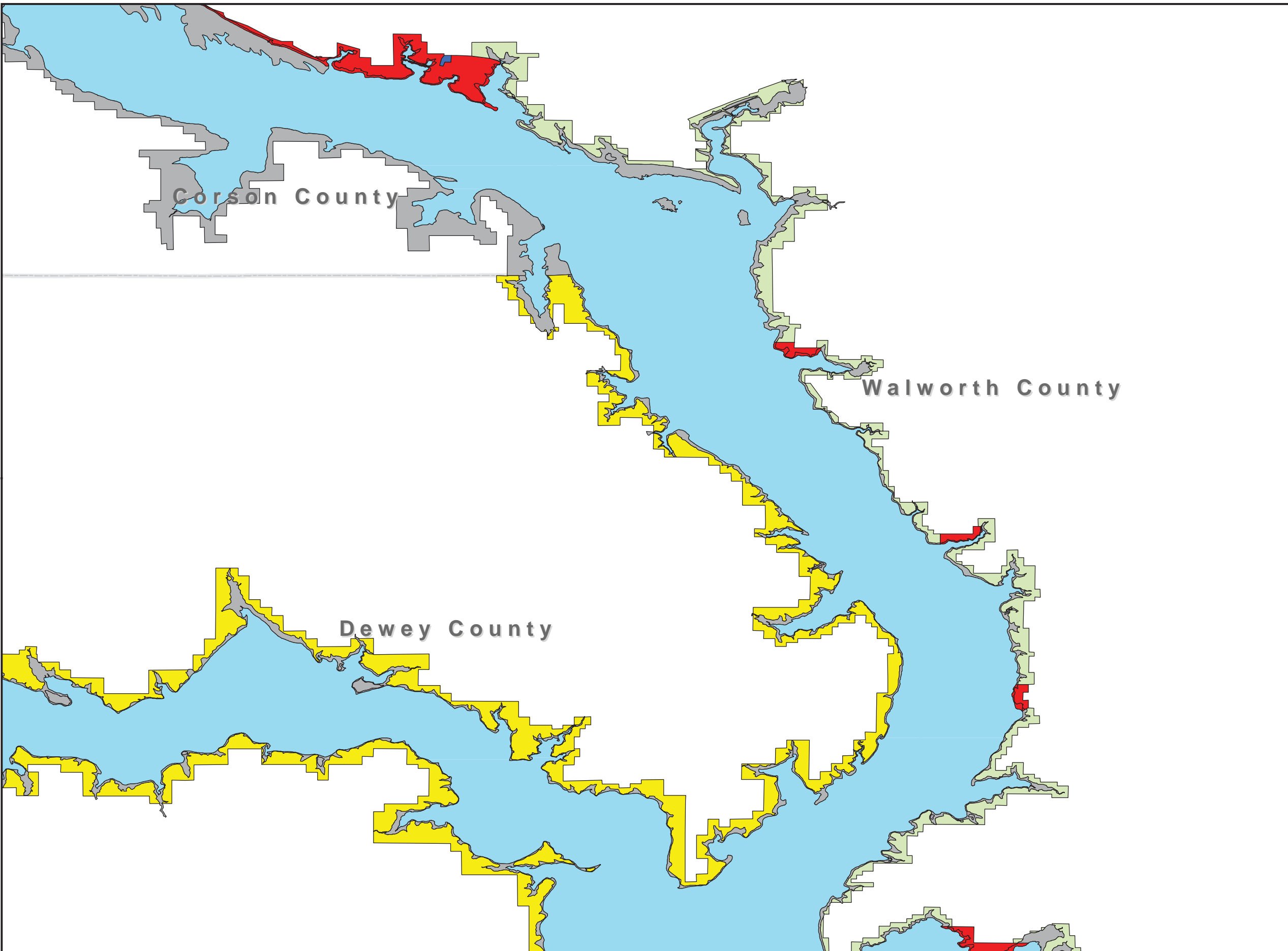
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1 in = 2 miles



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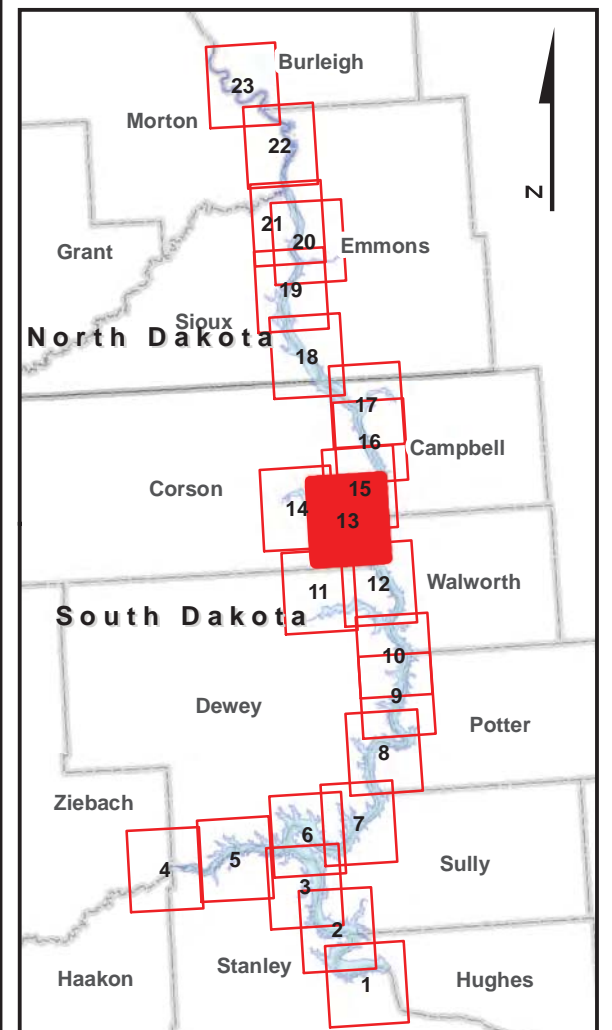
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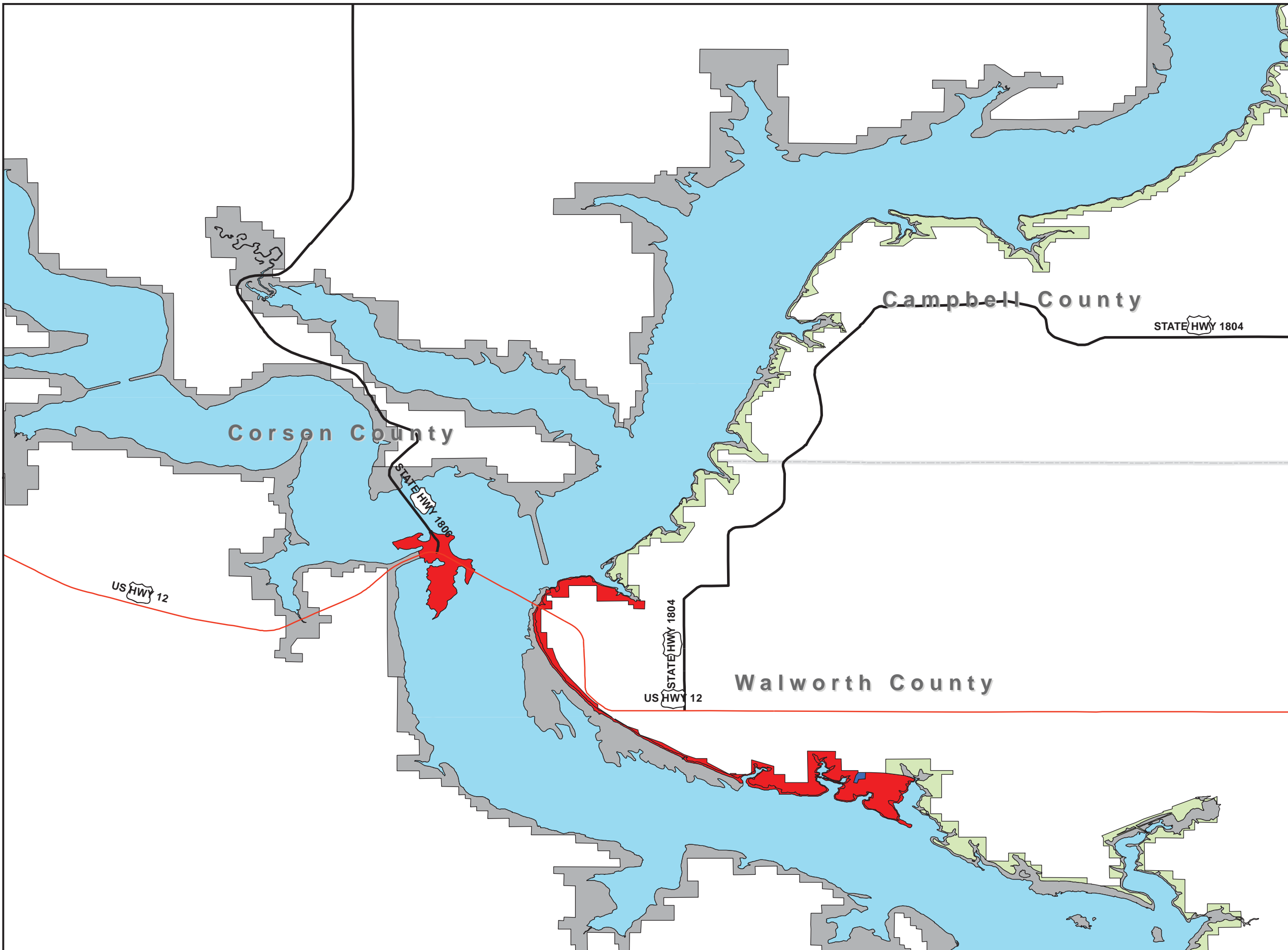
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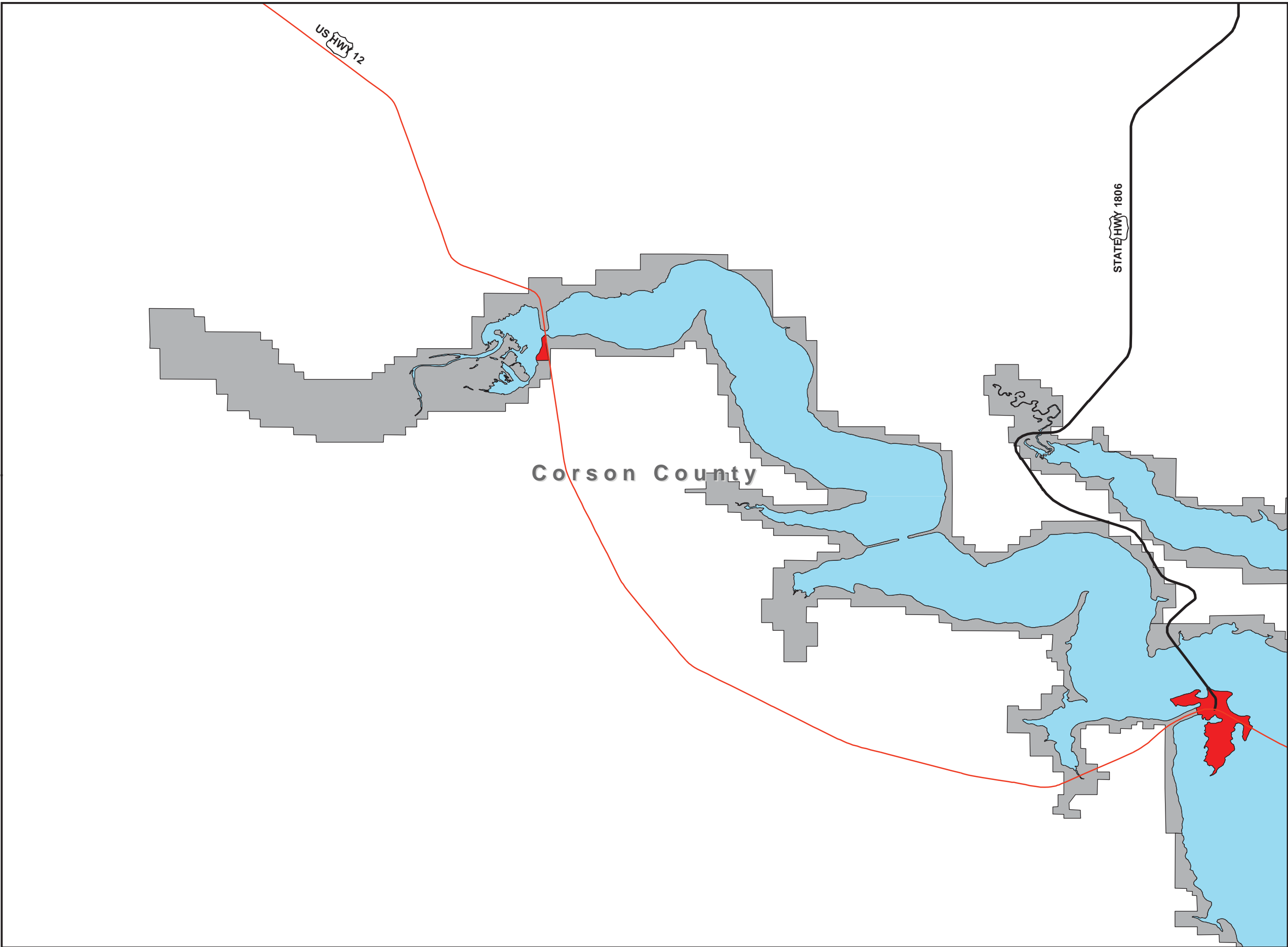
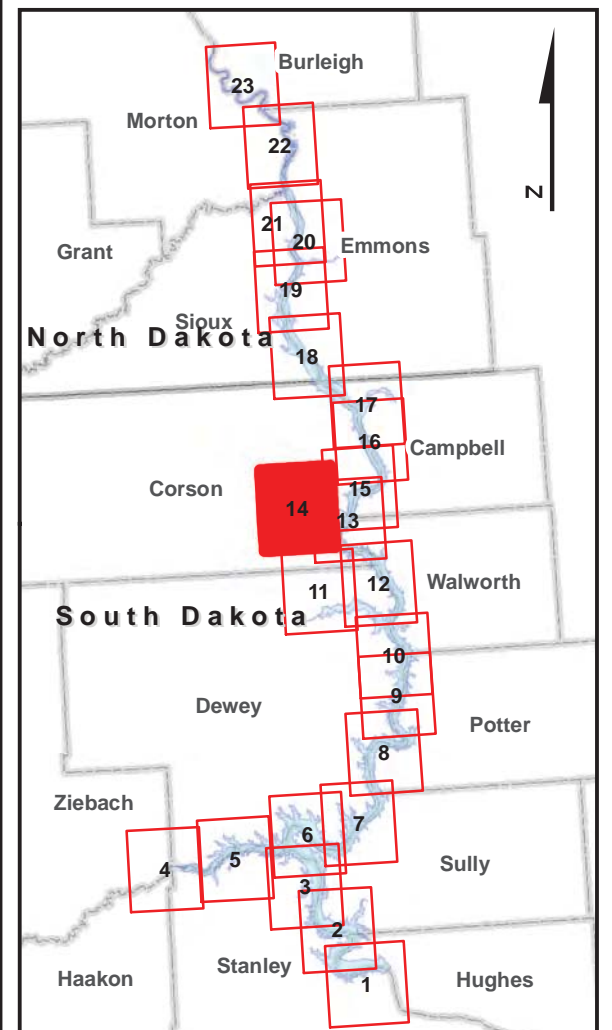
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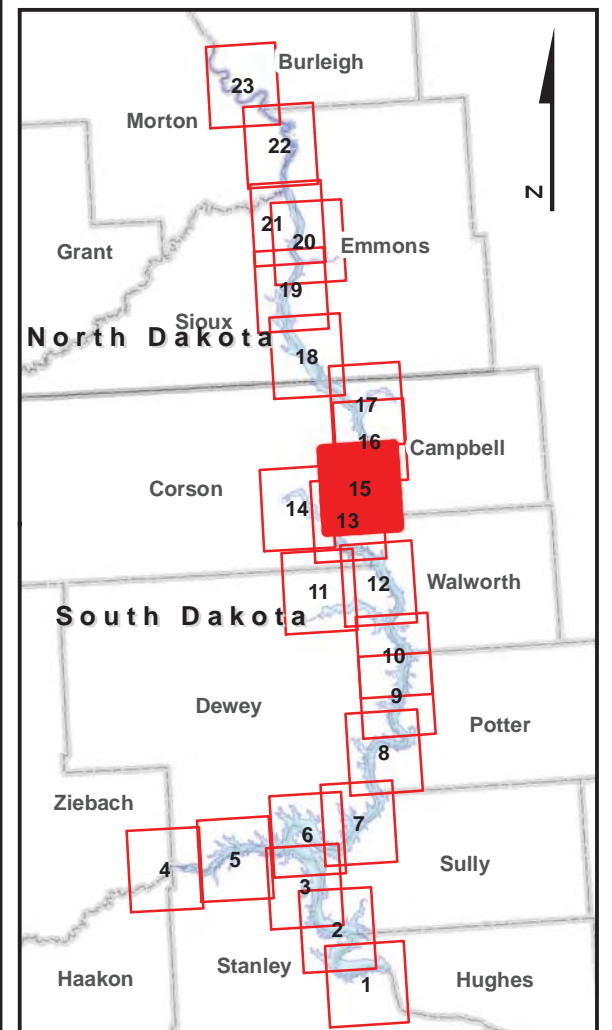
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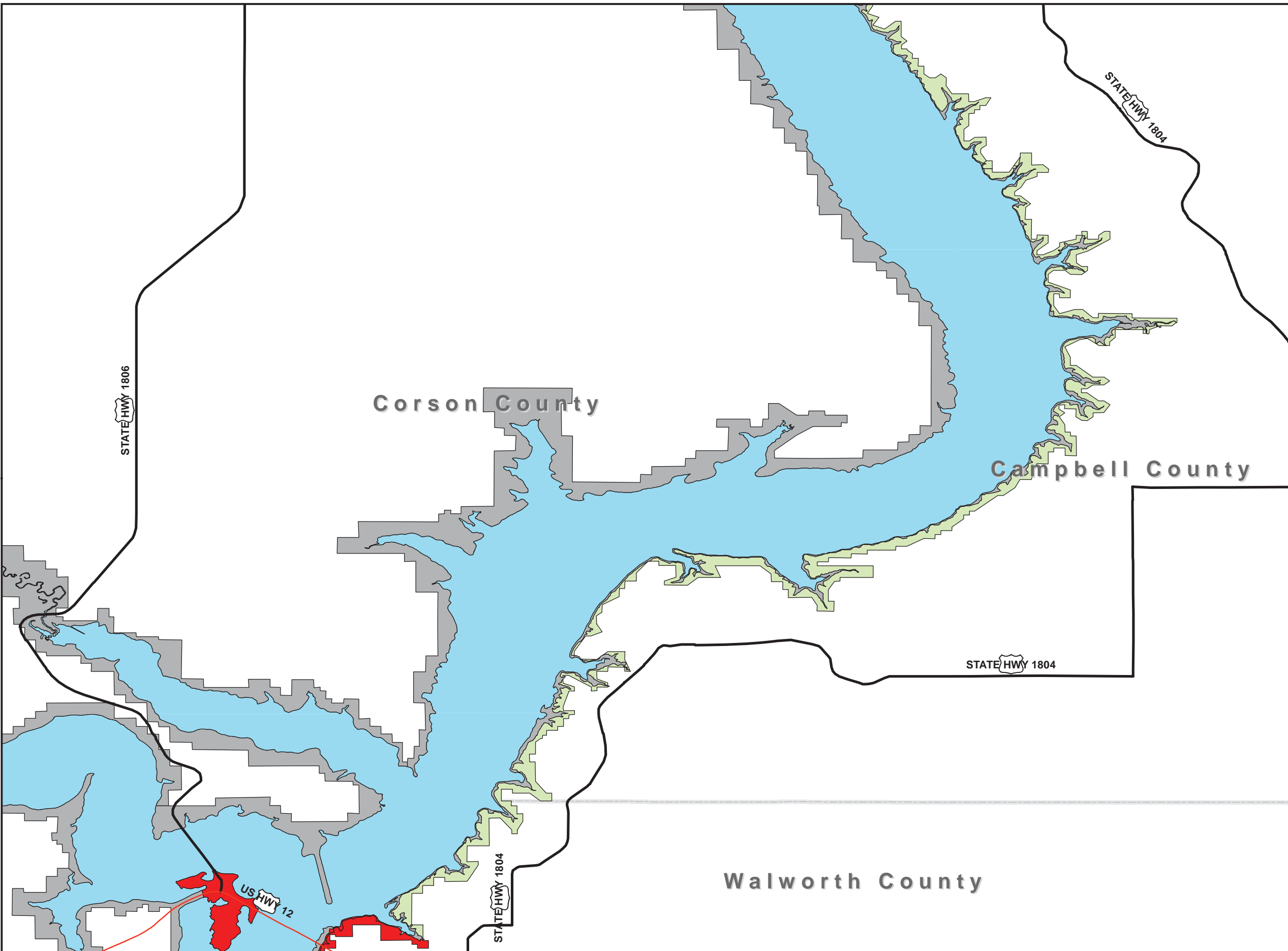
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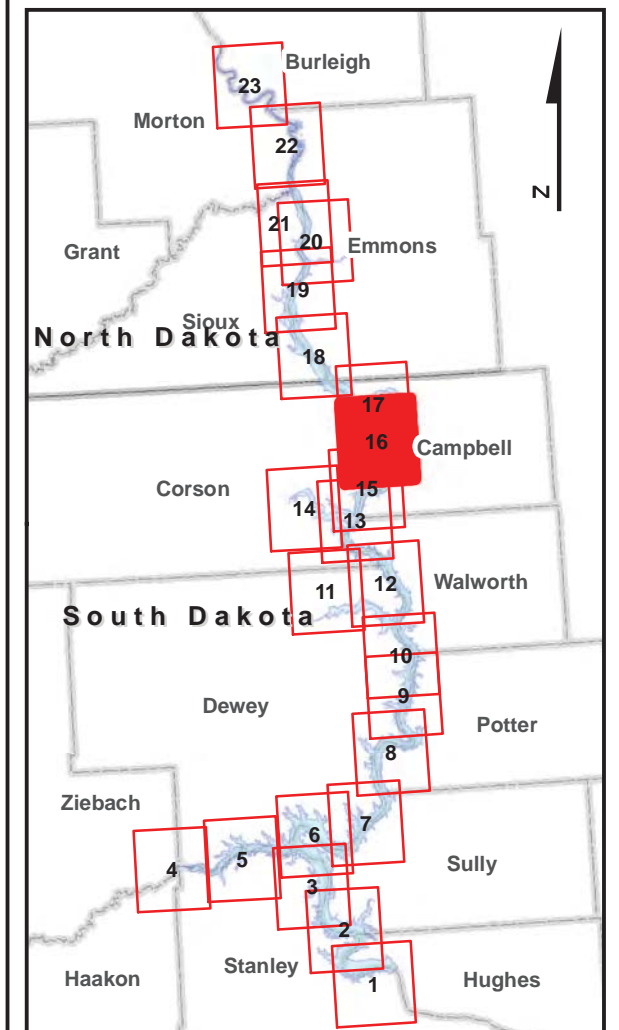
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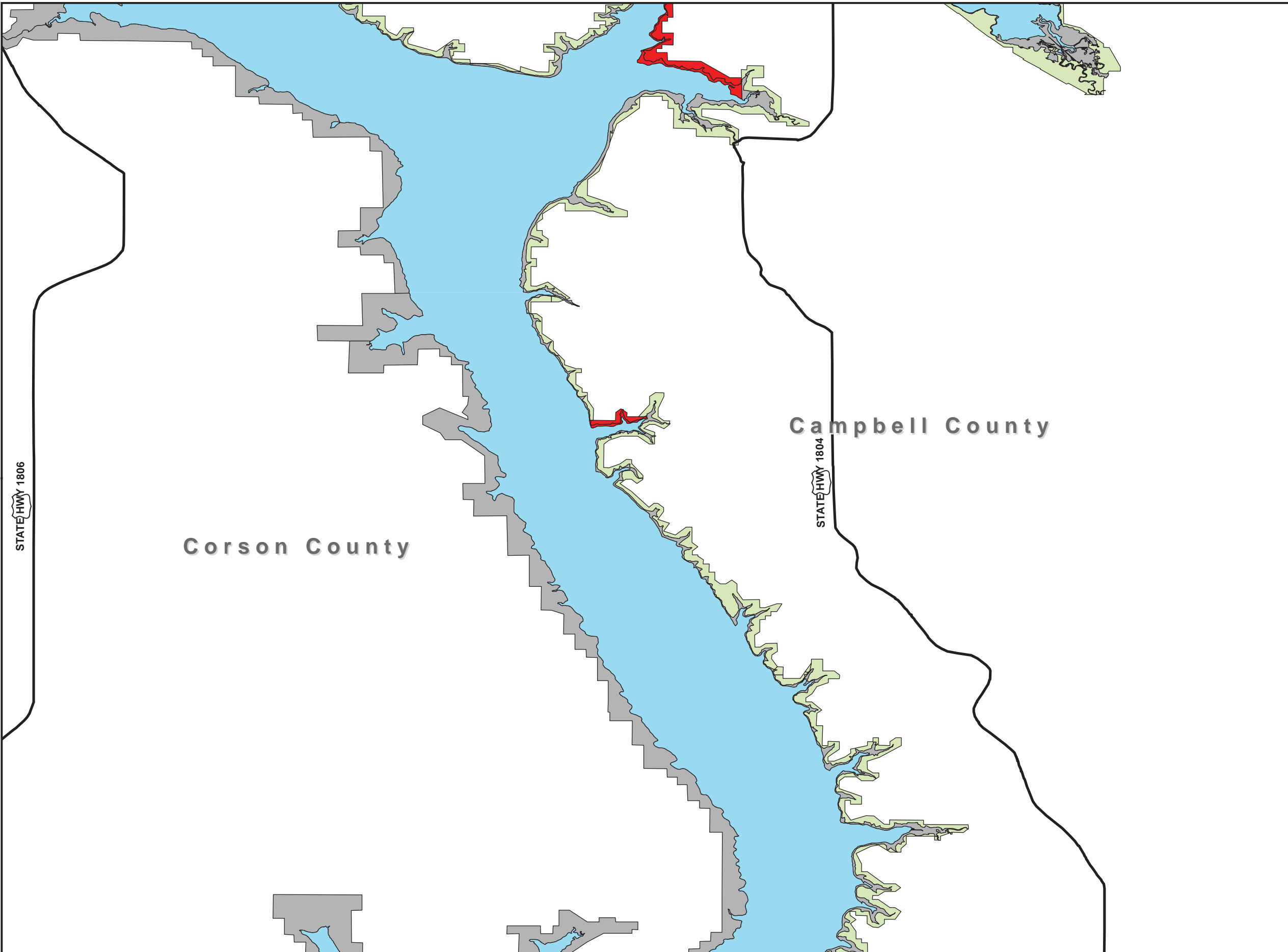
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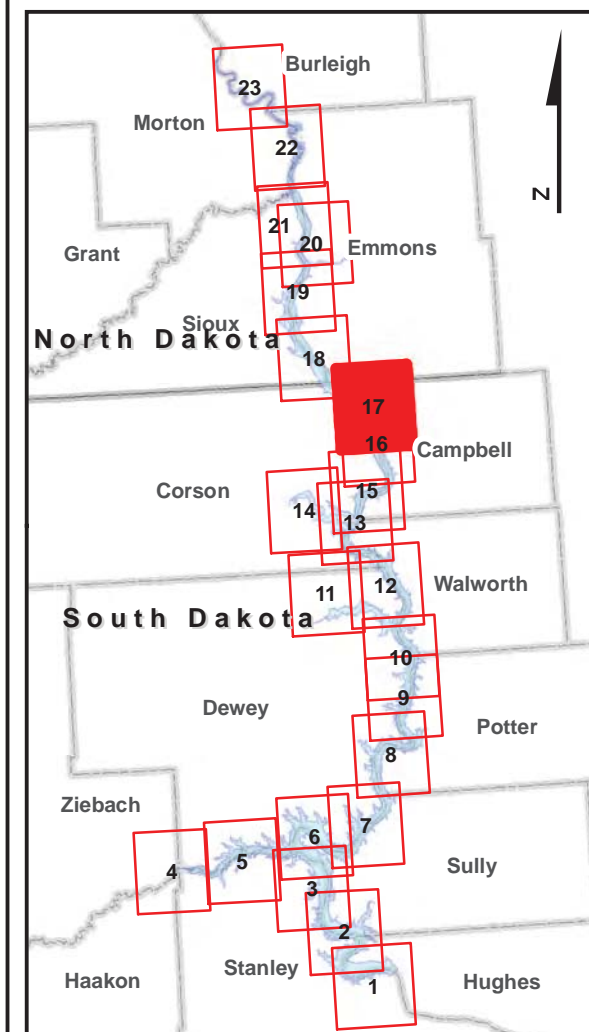
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Emmons County

Campbell County

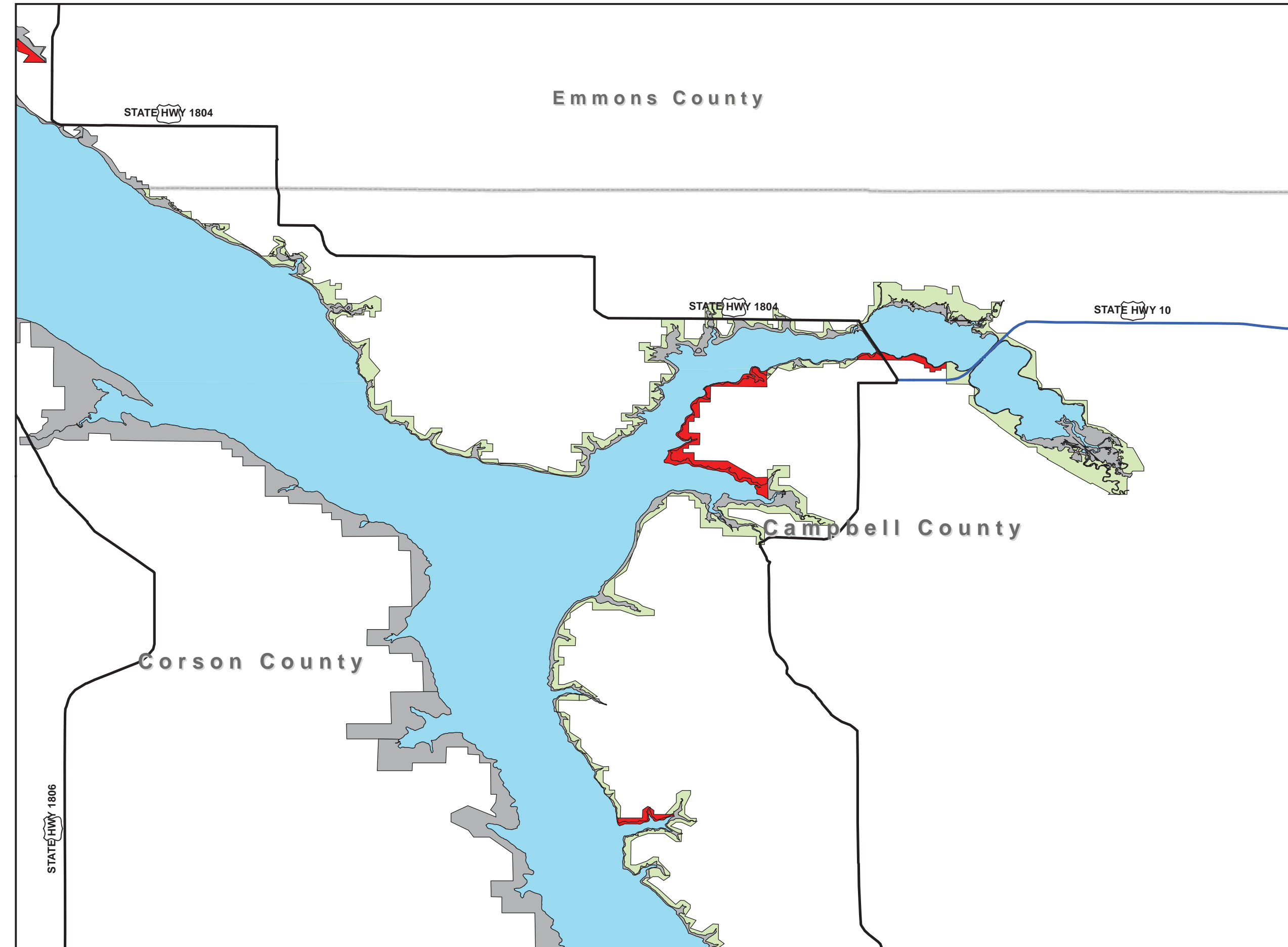
Corson County

STATE HWY 1804

STATE HWY 1804

STATE HWY 10

STATE HWY 1806



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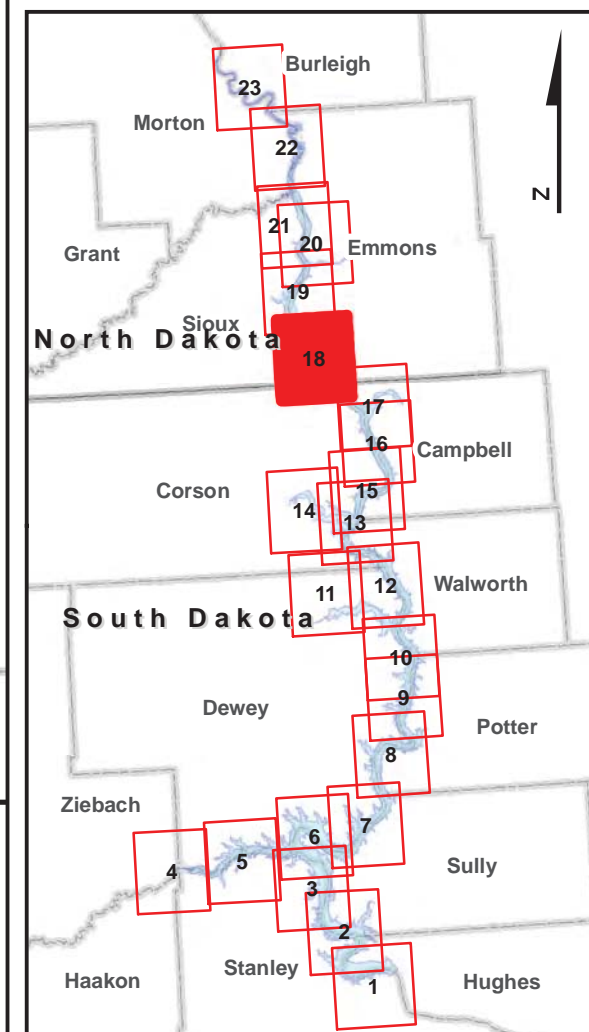
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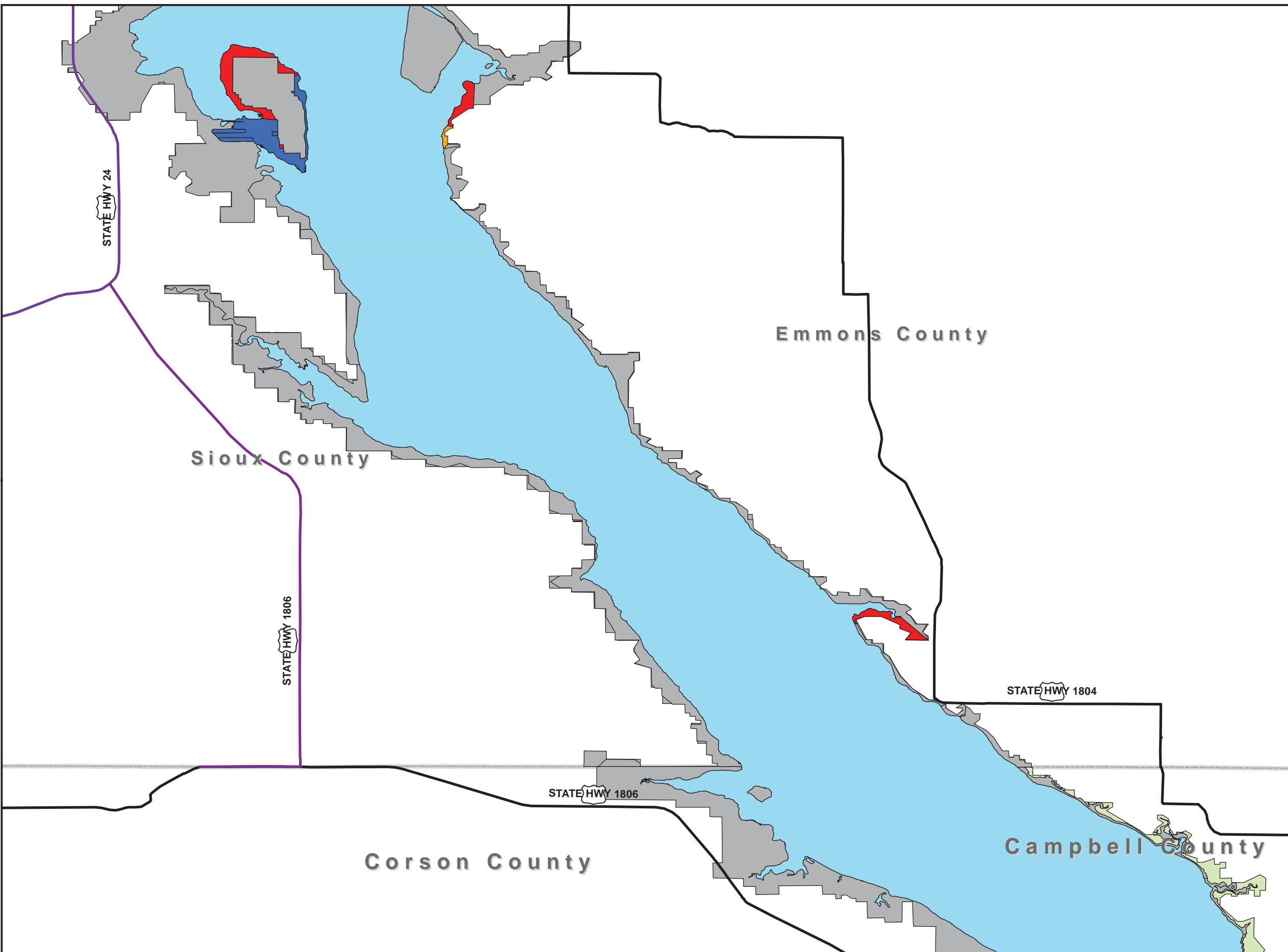
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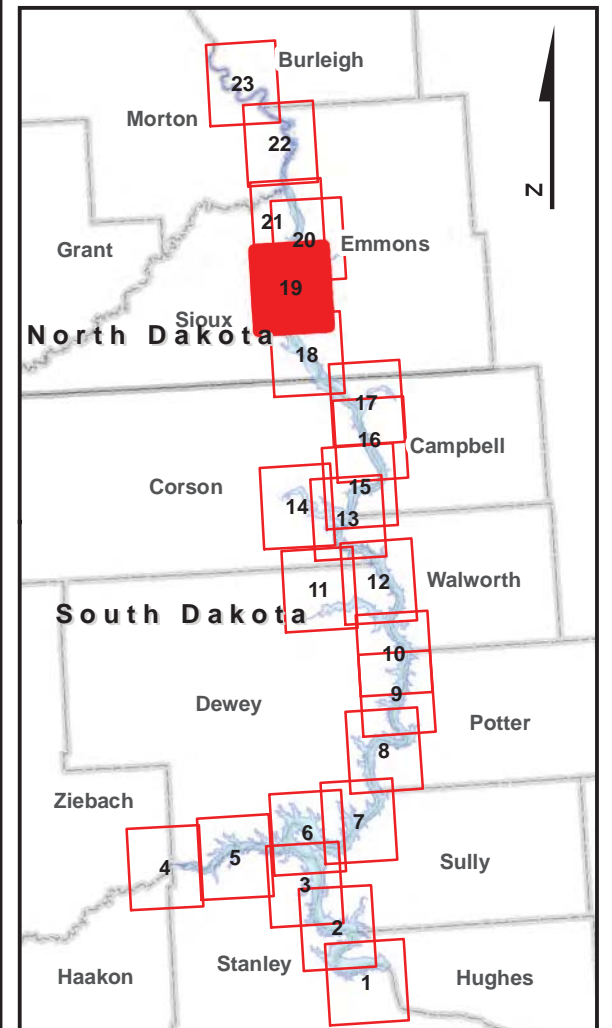
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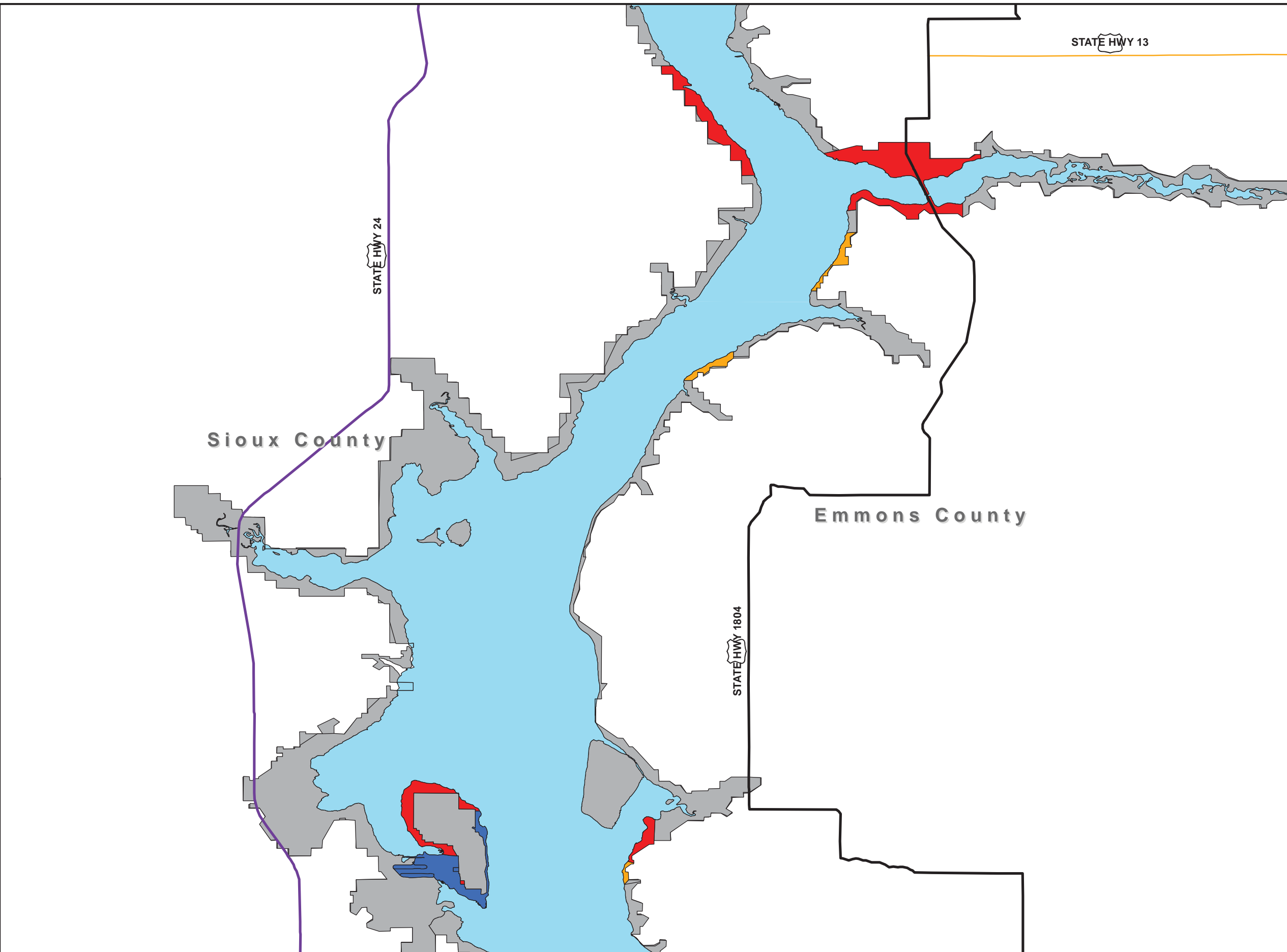
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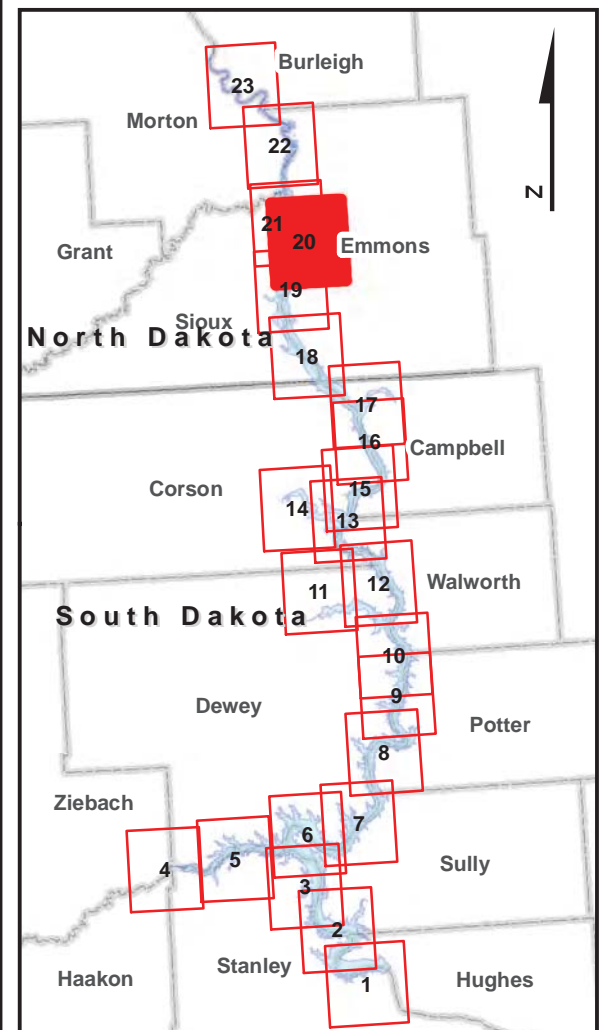
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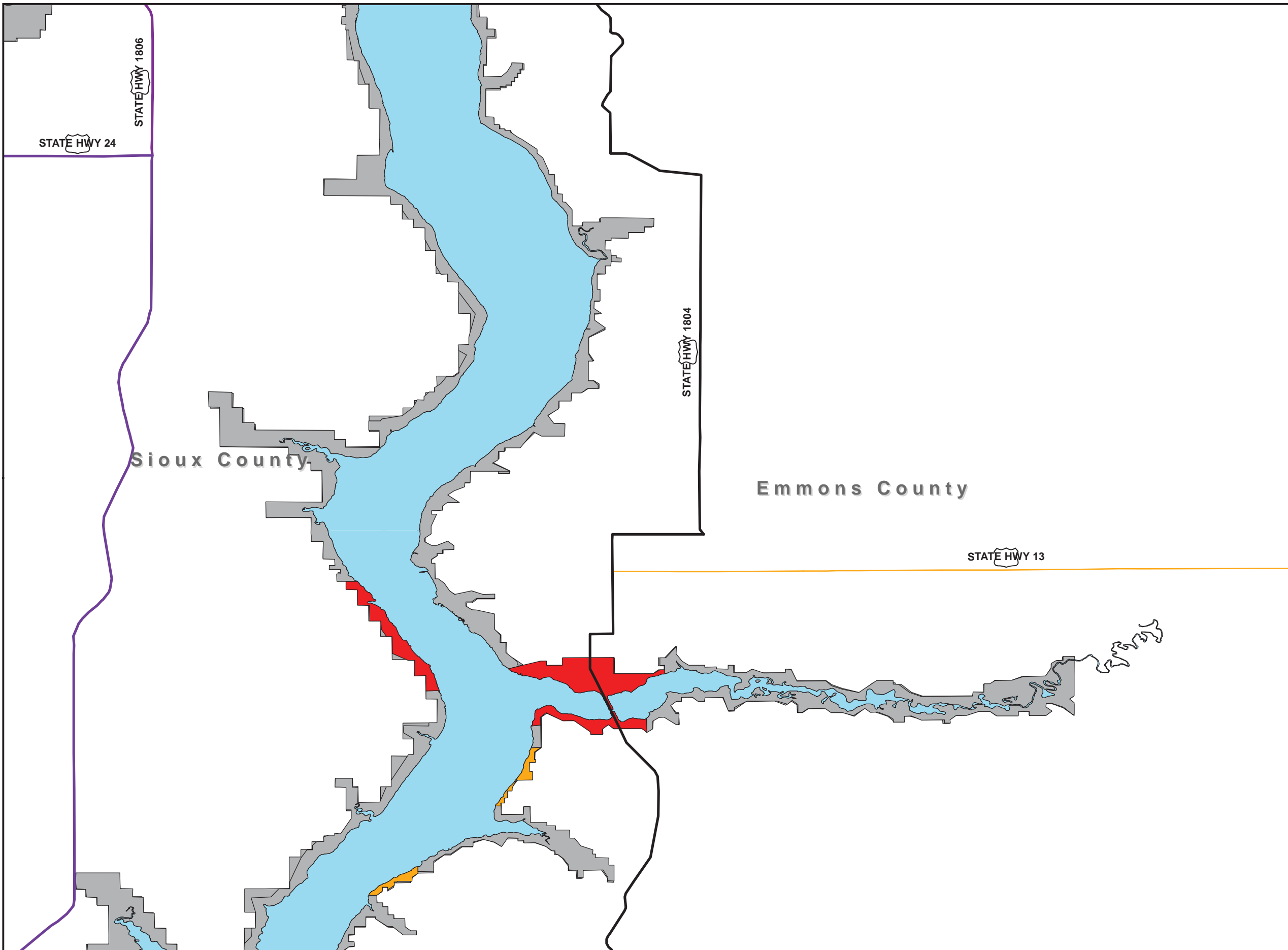
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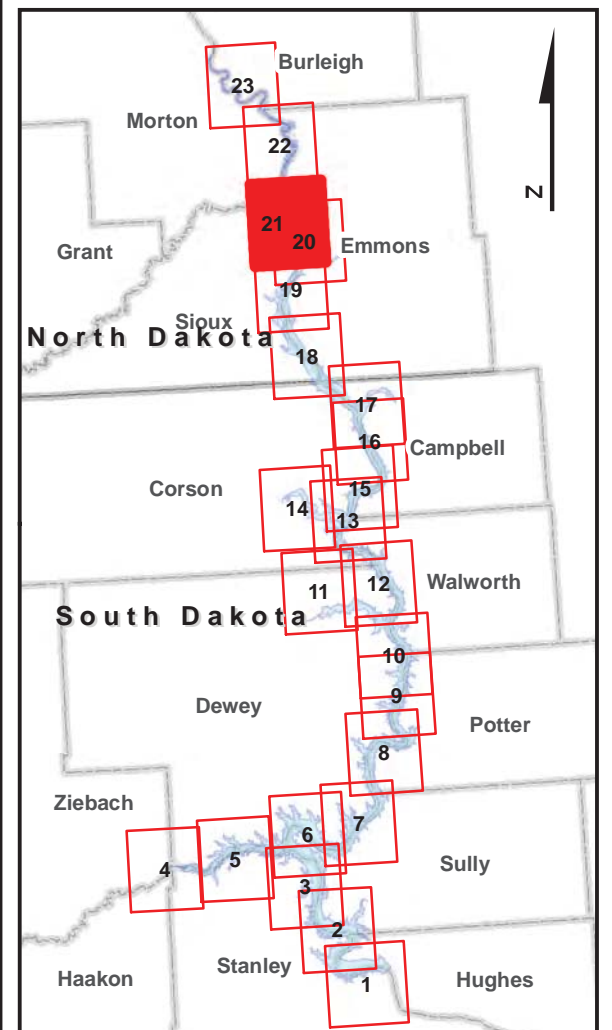
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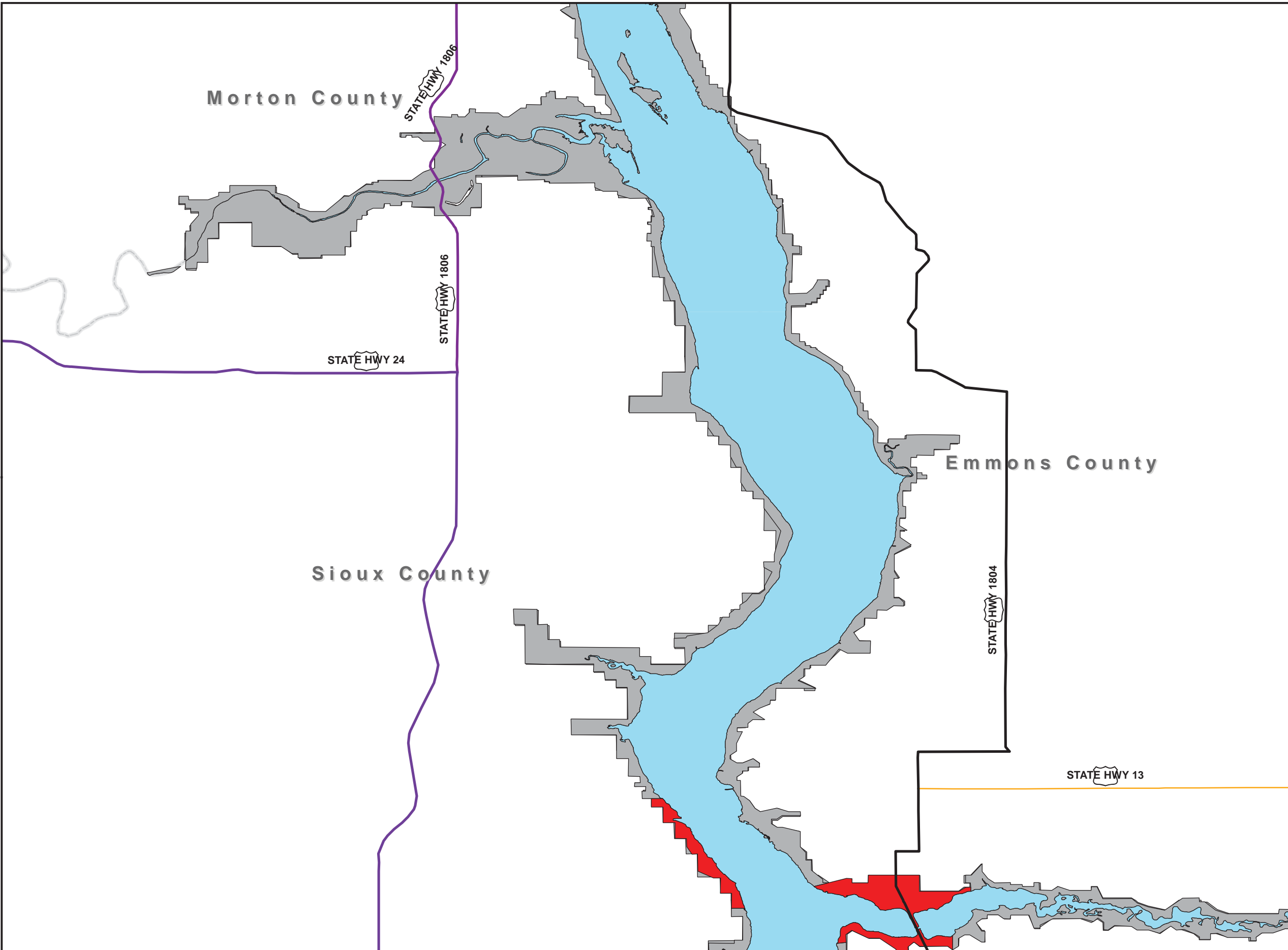
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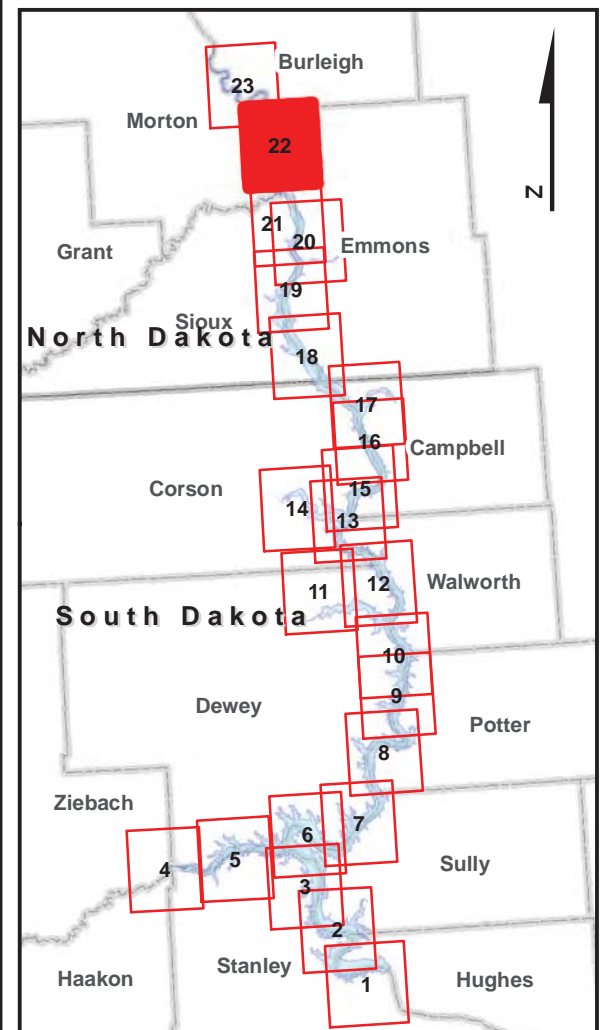
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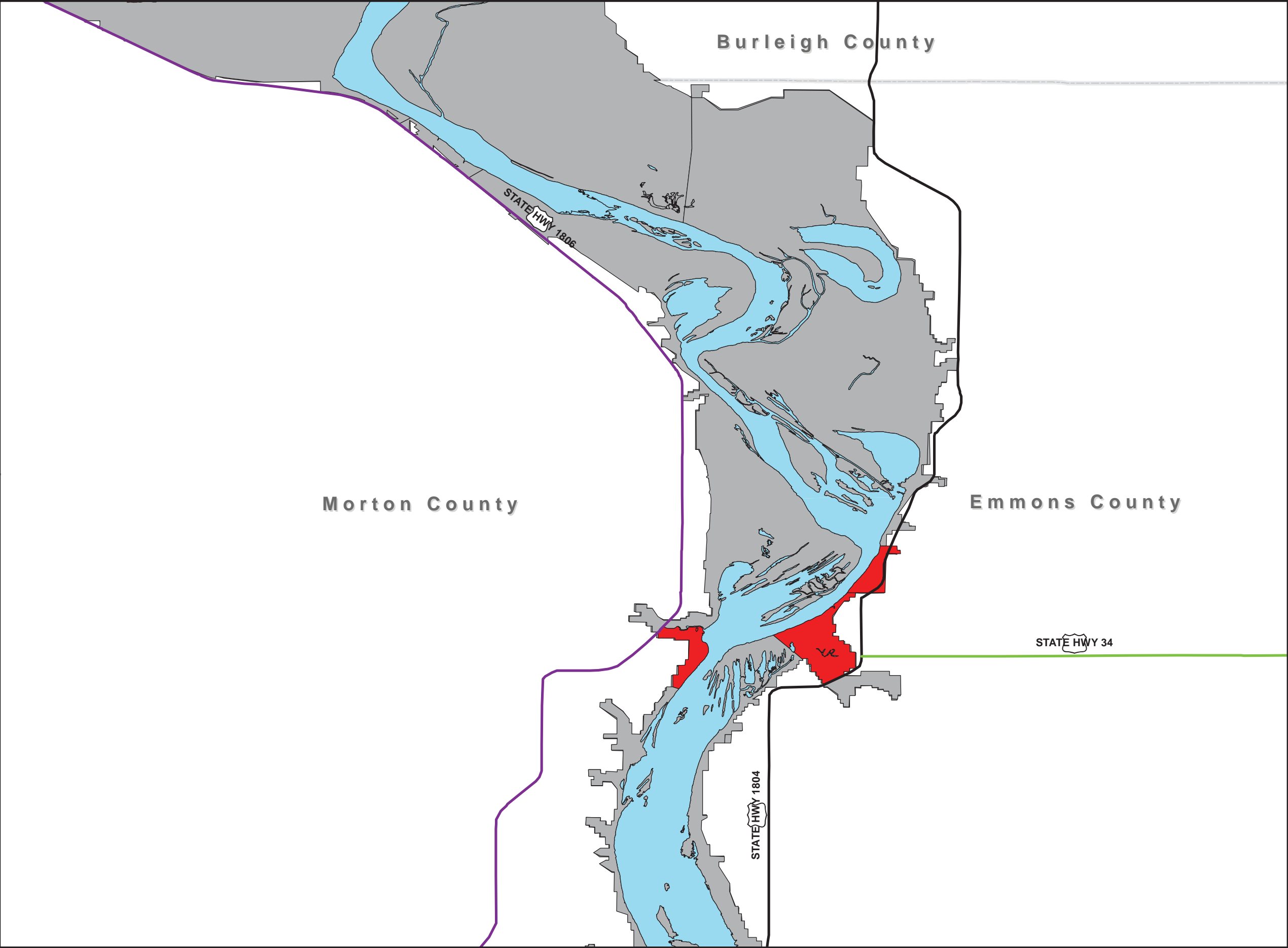
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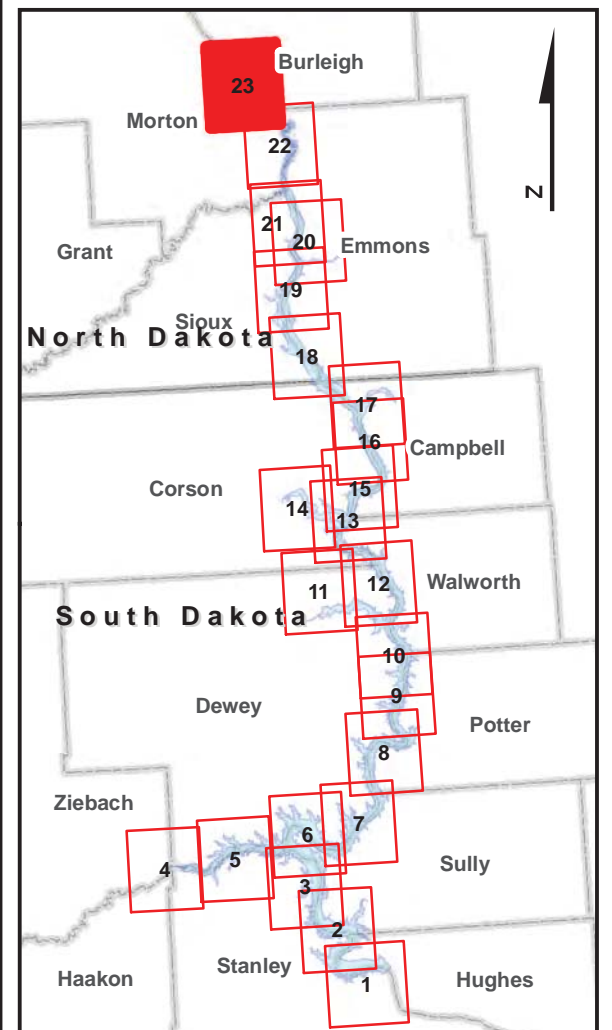
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