
OPERATIONAL
MANAGEMENT
PLAN

GARRISON PROJECT

APPENDIX F – SHORELINE MANAGEMENT PLAN



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

April 2021



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVENUE
OMAHA NE 68102-4901

CENWO-OD

21 April 2021

MEMORANDUM THRU CENWO-OD

FOR CENWO-ZA

SUBJECT: Update and Revision of Garrison Dam/Lake Sakakawea Project Shoreline Management Plan

1. Reference. Engineering Regulation (ER) 1130-2-406, Shoreline Management at Civil Works Projects; and ER 1130-2-540, Environmental Stewardship Operations and Maintenance.
2. Purpose. The updated and revised Shoreline Management Plan (SMP) for the Garrison Dam/Lake Sakakawea Project, North Dakota, is submitted for your approval.
3. As per ER 1130-2-406, a SMP is prepared for each Civil Works Project where private shoreline use is permitted. The previous Garrison Dam/Lake Sakakawea Project SMP was approved in 2014. The SMP is required to be reviewed every five years and updated to reflect current conditions as needed to ensure proper management of the shoreline. This updated SMP reflects these current conditions, and public comments and input were considered during this revision process.
4. The SMP contains what areas are open or closed to specific activities and facilities, the procedure to obtain the appropriate permits, and other information pertinent to the United States Army Corps of Engineer's management of the shoreline at the Garrison Dam/Lake Sakakawea Project. In addition, the SMP includes a map of the shoreline surrounding the Project and delineates which areas are available for specific use.
5. If there are any questions regarding this plan, please contact Mr. Zachary Montreuil, at (402)995-2712 or zachary.j.montreuil@usace.army.mil.

Sincerely,

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Date: 2021.04.22 07:42:40 -05'00'

Encl

Sheila M. Newman
Chief, Operations Division

CONCURRENCE:

CENWO-ZA concurs to the update and revision of Garrison Dam/Lake Sakakawea Project Shoreline Management Plan.

A handwritten signature in black ink, appearing to read 'M. Himes', written over a horizontal line.

MARK R. HIMES, P.E.
COL, EN
Commanding

Date: 12 MAY 2021

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1. Purpose.

The purpose of this Shoreline Management Plan (SMP) is to provide guidance for managing Garrison Dam and the project shoreline and water resources of Lake Sakakawea. This SMP addresses the rules, regulations, shoreline allocations, and requirements for issuing permits for private facilities on public lands managed by the U.S. Army Corps of Engineers (USACE), Garrison Project Office.

2. Objective.

The objective of this Shoreline Management Plan is to continue to protect the natural resources for the general public while allowing permitted private uses. Management of the shoreline will ensure the continuation of public recreation opportunities while protecting the natural environment.

3. 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.

4. References.

- a. ER-1130-2-406, Shoreline Management at Civil Works Projects.
- b. Title 36, Chapter III, Part 327, Code of Federal Regulations, “Rules and Regulations Governing Public Use of Water Resource Development Projects Administered by the Chief of Engineers”.
- c. Act of September 25, 1962, Public Law 87-695, 76 Stat. 594, amended by Fort Berthold Mineral Restoration Act, Section 205, Public Law 98-602, 98 Stat. 139, 3152 (1984).
- d. National Historic Preservation Act of 1966 (16 U.S.C. 470 et. seq.).
- e. National Environmental Policy Act of 1969 (42 U.S.C. 4231 et. seq.).
- f. Section 10, Rivers and Harbors Act of 1899 (33 U.S.C. 403).
- g. Clean Water Act, Section 404 (33 U.S.C. 1344).
- h. Act of December 29, 1981, Section 6, Public Law 97-40, 95 Stat. 1718 (16 U.S.C. 460d note).

- i. Water Resources Development Act of 1986, Title XI, Section 1134(d), Public Law 99-601, 100 Stat. 4082 (16 U.S.C. 460d note).
- j. ER-405-1-12, Chapter 8, Real Property Management.
- k. Missouri River Division Lakeshore Management Policies, 16 September 1980.
- l. Archaeological Resources Protection Act of 1979 (Public Law 96-95) (16 U.S.C. 470aa et. seq.).
- m. Endangered Species Act of 1973, (Public Law 93-205), as amended (16 U.S.C. 1531 et. seq.).
- n. Policy for Minimum Performances and Design Requirements for Floating Structures in the Omaha District, 25 February 1997.
- o. Requirements for Floating and Non-Floating Dock Permits, 26 December 2000.

5. Policy.

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

6. Description of the Shoreline.

a. **Project Location.** Garrison Dam and Lake Sakakawea are located entirely within the State of North Dakota. The dam is located across the Missouri River in McLean and Mercer Counties at River Mile 1,389.86. Lake Sakakawea extends 178 miles in a northwesterly direction almost to the Montana border and includes portions of land in McLean, Mercer, Mountrail, Dunn, McKenzie, and Williams Counties. The lake averages three miles in width, the widest point being fourteen miles. Lake Audubon, the eastern most extension of Lake Sakakawea, is separated from the lake by a causeway over which passes U.S. Highway 83. The U.S. Bureau of Reclamation operates the Snake Creek Pumping Station to maintain the pool elevation on Lake Audubon and to provide water to McCluskey ditch for irrigation purposes.

Together, the two lakes cover approximately 315,000 acres at a pool elevation of 1,837.5 feet at mean sea level (m.s.l.). At the top of the multi-purpose pool elevation of 1,850.0 feet m.s.l., the two lakes cover approximately 368,000 acres. At the top of the flood control pool elevation of 1,854.0 feet m.s.l., the lakes cover approximately 383,000 acres.

The major water tributaries into Lake Sakakawea are the Missouri and Yellowstone Rivers. Secondary tributaries include: The Little Missouri, Little Muddy, and White Earth Rivers, and Douglas and Shell Creeks.

b. **Project Shoreline.** At the top of the multi-purpose pool elevation of 1,850.0 feet m.s.l. the shoreline of the two lakes is approximately 1,600 miles in length of which 120 miles can be characterized as very flat, 200 miles as flat, 1,040 miles as sloping, and 240 miles as steep. At a lake elevation of 1,837.5 feet, m.s.l. the shoreline length is approximately 1,340 miles.

c. **Present Land Use.** The U.S. Army Corps of Engineers (USACE) operates eleven recreation areas at the Garrison Project. Project lands are leased out to State, tribal, local government, and commercial lessees for the purpose of public recreation. State and federal entities also lease land for the purpose of wildlife management.

d. **Private Development.** As of January 1, 2009, there are two colony sites, one grandfathered public recreation site, nine cottage sites, and approximately 36 private development sites that adjoin or, in the case of the two colony sites, are located on project lands. There is one cottage site and two private development sites adjacent to project lands at Lake Audubon.

e. **Lands within the Fort Berthold Reservation.** Approximately 220,840 acres of land was acquired within the boundaries of Fort Berthold Reservation. Of this total, 152,519 acres were acquired from the Three Affiliated Tribes or Tribal members by P.L. 81-437, 68,081 acres were acquired from private ownership, and 240 acres were transferred from other Federal agencies. Since the acquisition of these lands, Congress has restored certain benefits to the Three Affiliated Tribes with regards to these lands. Included among those benefits is the ability of the Three Affiliated Tribes to graze livestock without charge on such lands as the Secretary of the Army determines are not devoted to other beneficial uses. This privilege includes the authority to lease the land for grazing purposes to both members and non-members of the Three Affiliated Tribes with such terms and conditions as prescribed by the Secretary of Interior. Congress has also restored all mineral interests in the lands acquired from the Three Affiliated Tribes for the Garrison Project. P.L. 98-602.

f. The Federal Government holds associated mineral interests in trust for the benefit and use of the Tribes.

7. Development of the Shoreline Management Plan.

In September 2018, Garrison Dam/Lake Sakakawea Project Staff submitted a proposal to the Omaha District to update the current SMP (2014) to clarify existing components of the plan and provide updates to reflect current conditions. In March 2019, Project Staff and District Office Staff began the updating process. Public input into the plan was conducted through a press release and subsequent public meetings.

8. Prior Commitment and Grandfathered Structures.

P.L. 99-662 provides that lawfully installed dock or appurtenant structures 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:

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

Existing permitted private water-base facilities (i.e. docks, mooring posts and buoys) in public recreation areas, or located outside of the limited development area, and have been previously designated as “grandfathered” will be allowed to remain their current location without any modification from its original form under a grandfathered restricted limited development classification. The grantee is permitted to maintain only the original grandfathered facilities.

Additionally, grandfathered permits are non-transferrable. They become null and void upon sale or transfer of the permitted facility or the death of the permittee and his/her legal spouse. If the facilities are destroyed, the grantee will be required to remove the facilities no replacement of the facilities will be allowed. Further, if the item becomes obsolete, dysfunctional or is no longer in use, it shall be removed as directed by the Lake Manager with no opportunity for replacement. The facilities cannot be enlarged or expanded to accommodate additional boats. There will be no new facilities permitted in these areas.

If the permittee fails to comply with the conditions of the permit, the permittee will be notified by letter and will be given 30 days to remove the structure.

9. Shoreline Allocation.

The Shoreline Management Plan (SMP) for Lake Sakakawea and Lake Audubon 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 under a Shoreline Use Permit, consistent with the requirements outlined in this Shoreline Management Plan.

b. **Public Recreation Areas:** Recreation areas are managed by Federal, tribal, state, county, local, quasi-public entities, or commercial concessionaires. No private shoreline use facilities and/or activities will be permitted within or near developed or designated public recreation areas. The term “near” depends on the terrain, road system, and other local

conditions, so actual distances must be established on a case-by-case basis. The only exception to this policy is the shoreline adjacent to the New Town Marina, McKenzie Bay, and Charging Eagle colony sites. No modification of landforms or vegetation by private individuals or groups of individuals is permitted in public recreation areas. Commercial boat docks and marinas are permitted only in public recreation areas.

If a new public recreation area is established near an existing limited development area, those existing private shoreline use facilities and/or activities will be allowed to remain, pursuant to the prior commitment conditions in Section 8.

c. **Protected Shoreline Areas:** Protected shoreline areas are areas set aside to maintain or restore aesthetic, fish and wildlife, cultural, historical, religious, or environmental values in accordance with the intent of those acts listed under Section 4 References and as amended. 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, 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 Lake Manager. 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. No Shoreline Use Permits for floating or fixed recreation facilities will be allowed in protected areas. Some modification of vegetative communities by private individuals following the issuance of a permit may be allowed if the Lake 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 embankments. Shoreline Use Permits will not be issued in prohibited access areas.

10. Conditions for Changing Shoreline Classification.

Requests for changes in the shoreline allocation shall be directed in writing to the Lake Manager. The project's natural resource staff will review the request to ensure compliance with the criteria for changes listed below. If the natural resource staff recommends approval of the allocation change, the Lake Manager will consider the proposed change within 60-days from receipt of the request. The Lake Manager shall make the final decision on the allocation change with an approval or denial letter sent to the requestor.

Criteria for determining changes in Shoreline Classification to Limited Development:

- a. The shoreline cannot be under lease, license, or permit to another agency (i.e. North Dakota Game and Fish Department, U.S. Fish and Wildlife Service, Public Recreation Leases, etc.).
- b. The shoreline cannot be in or adjacent to a public recreation area.
- c. The private land adjacent to the shoreline must be zoned 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. The public road must be indicated on the approved plat map. This plat map shall be provided along with the allocation change request.
- e. All proposed shoreline areas for limited development must be reviewed for compliance with the Endangered Species Act and the National Historic Preservation Act. Shoreline areas found to harbor endangered or threatened species or found to contain cultural resources protected under the National Historic Preservation Act will not be allocated for limited development.
- f. The shoreline characteristics and water depth must be able to support water-based facilities between lake elevations 1,850 and 1,825 m.s.l.
- g. It is highly recommended that upon sale of the subdivision lots, an association be formed in order for USACE and the association to be able to issue licenses for access roads, parking lots, etc. via a Real Estate One-Stop License.
- h. Only community dock permits will be considered in new limited development areas.

11. Limited Development Area Boundary Delineation.

The Corps of Engineers will place signs at the boundary line of each Limited Development Area. Signs will be placed at or above lake elevation 1,850 m.s.l. and meet USACE sign standards.

12. Shoreline Use Permits.

The Natural Resource Section of the Garrison Project Office may issue Shoreline Use Permits in shoreline areas allocated for limited development. Certain vegetation modification/mowing activities (firebreaks) may be approved in areas zoned as a protected shoreline. Shoreline Use Permits will only be issued to individuals or groups which own private property adjacent to project lands or have access via a public road to project lands which are allocated as

limited development. Only certain facilities and/or activities are permitted under a Shoreline Use Permit. The Riverdale Real Estate Office and/or North Dakota Regulatory Office may approve other facilities and/or activities (see Section 13).

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 post/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 Natural Resource Staff.

a. **Water-Base Facilities:** Water-base facilities consist of individual and community dock(s), mooring posts, or mooring buoys as described below. Applicants must submit a Shoreline Use Application, available from the Garrison Project Office, with a detailed plan of the facility.

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

The Lake Manager may 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. Failure to have the facility in place within this timeframe will result in termination of the permit and forfeiture of permit fees.

(1) **Individual Docks:** Only one dock will be permitted per household and only watercraft owned, registered, and licensed to the permittee may be moored at an individual dock. The Lake Manager shall require verification of watercraft ownership. A docking system may consist of a boatlift, personal watercraft lift and other auxiliary facilities as needed to accommodate all watercraft owned by the permittee. The auxiliary facilities must be permanently attached to the dock system while in use. Portable Marine Railways may be permitted. The rail system must be indicated when applying for Shoreline Use Permit. The applicant shall be required to provide detailed design specifications for the railway system and shall obtain any and all required permits associated with the construction of said railway. Individual docks will not be allowed at the following limited development areas: Ellwein Estates, Rolling Hills, Wolf Creek West, Kruger's North/North Lakeview, Homestead Acres, and Schlichting.

(2) **Community Docks:** A community dock can significantly reduce overall construction and maintenance costs for individual members as compared to several separate individual docks. In certain cases, community 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 docking/moorage facility must meet the location eligibility

and the minimum design standards for a dock/moorage facility prior to the issuing of the Shoreline Use Permit. Participants in a community dock are not eligible for an additional individual dock. The allowable size of a community dock will be determined by the Lake Manager and will depend on the number of participants and the proposed location of the dock. Once a community dock (s) permit is established, it shall remain as a community dock(s) for the life of the permit. Only community dock(s) will be allowed at the following Limited Development Areas: Ellwein Estates, Rolling Hills, Wolf Creek West, Kruger's North/North Lakeview, Homestead Acres, and Schlichting. Community dock slips are solely for the use of the identified individual(s) on the permit, and not to be rented or loaned out.

(a) If a permit holder wishes to convert from an individual dock permit to a community dock permit, the point of contact for a community dock will be given a list from the Project Office of individuals that are on the LDA waiting list. These individuals will be given priority for community permit inclusion.

(b) If an LDA has a waiting list, any new permits which become available for that area will be community permits only in order to provide additional opportunities for the public due to increased demands in that area.

(3) **Individual Mooring Posts or Buoys:** A mooring post or buoy may be authorized if the applicant meets all location eligibility requirements for a Shoreline Use Permit. The post must be designed to adequately secure the watercraft under high wind or wave conditions. The permittee is fully responsible for ensuring the post is properly maintained and is fully visible, so it does not constitute a safety hazard to the public. At a minimum, a 4" x 4" wooden post or metal t-post will be used as a mooring post. It shall be placed at a minimum of 3 feet (3') above the ground. Mooring posts must be removed from the shoreline prior to October 31 of each calendar year. The mooring buoy must meet all Federal and state regulations, be at least 18 inches (18") 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 or public land adjacent to the facility. Signs indicating "private dock" may be used for the purpose of identifying to the public the dock is private. Signage may only be placed on the dock structure, not on the shoreline adjacent to the structure.

(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 (twenty-five

feet on each side of the permitted facility). Spacing may be varied by the Lake 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-Based Activities:** All alterations or modifications to public lands are prohibited without written approval of the Lake Manager. Hand removal of drift debris and garbage does not require approval. Certain vegetation modification/ mowing and erosion control activities are allowed on public lands with a permit. 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 Garrison Project Office, with a detailed plan of the proposed alteration or modification activities. These activities are described below:

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

(a) **Vegetation Encroachment:** Persons wishing to prevent the encroachment of noxious weeds onto private property may be issued a permit to mow and clear vegetation to the 1850 m.s.l. mark. During low lake elevations, mowing may be allowed below the 1850 m.s.l. The Lake Manager and his/her representative may restrict mowing to prevent damage to 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 Boundary line, as surveyed and marked by the Government, in a clear but unobtrusive manner approved by the Lake Manager and in accordance with the conditions of the permit. All methods for delineating the Government Boundary line for vegetation modification must be completed within thirty (30) days of the permit issuance date. The Lake 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 time period.

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

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

c. **Transfer of Permits:** Shoreline Use Permits are non-transferable. Permits become null and void upon sale or transfer of the permitted facility or the death of the permittee and his/her legal spouse. Should the permitted facility be sold or transferred, the permittee will notify the Lake 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 area 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 very next person on the list will receive priority for a Shoreline Use Permit regardless of previous owner granted they meet all requirements for issuance of a Shoreline Use Permit. For any new shoreline use permits, the use of community dock permits will be required in order to shorten waiting lists and better serve the public's need for docks.

13. **Other Shoreline Activities.**

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

a. **Activities Requiring Real Estate Office Approval:** All authorized real estate shoreline activities shall be in accordance with DM 1130-2-5b, "Issuance of Minor Licenses and Permits at Water Resources Projects", (The 1-Stop Licensing Program). The established availability listing of activities/uses/facilities (AUFs) under this program is as follows:

- Stairways/Steps/Walkways
- Personal Electric or Telephone Lines
- Light Pole/Service Pole/Outlet Pole
- Tree/Shrub Planting
- Birdhouse/Bird Feeder

(1) Specific AUFs are grandfathered under this program and are authorized only when the applicant can furnish proof to the Lake Manager that the AUF was in existence prior to 1994. Although these items are considered encroachments, these items are permitted to remain, the grantee must be aware the item is grandfathered and must remain unchanged in its original state. Replacement of, improvements to or expansion of this grandfathered item for any reason whatsoever, will not be allowed under any circumstances. The grantee is permitted to maintain only the original grandfathered item. Relocation of this grandfathered item to an alternate location on public lands will not be allowed. If the item is destroyed, the grantee will be required to remove the remnants and restore lands of the United States to their original condition. Further, if the item becomes obsolete, dysfunctional or is no longer in use, it shall be removed as directed by the Lake Manager with no opportunity for replacement. The established availability listing of grandfathered AUFs under this program is as follows:

- Flag Poles
- Decks
- Accessory Buildings
- Satellite Dishes
- Sprinkler Systems

(2) Septic/Sewer/Drain Field systems may only be authorized by a real estate easement in specific Corps sold/leased cottage areas only. Approval of these systems will be done on a case-by-case basis with such factors as the lot size, terrain features and amount of available shoreline to be considered. The State Health Department, local District Health Unit or Indian Health Unit must approve these systems. Placement of these systems on public lands adjacent to private subdivisions and/or cottage areas is strictly prohibited.

(3) Fees for Real Estate Licenses and Easements will be assessed the greater of the administrative costs or the Fair Market Rental Value.

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 temporary marine railways, the placement of shoreline erosion structures (i.e. bank stabilization) and materials below elevation 1850 m.s.l., etc., require Department of the Army approval under Section 10, Rivers and Harbors Act of 3 March 1899 (33 U.S.C. 403) and/or Section 404 of the Clean Water Act (33 U.S.C. 1344). An application for a Department of the Army Permit can be obtained from and submitted to the Garrison Project Office.

14. **Prohibited Items.**

Activities which create the appearance of private ownership of public lands, are destructive to public lands, or inhibit the use of public lands are prohibited. Examples are as follows:

- 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, domestic water intakes, 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/debris 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.
- g. The placement and anchoring of floating structures such as swim platforms/ floating trampolines are not permitted.

Exemptions:

(1) Requests for waivers for special access to a permitted facility, based on health conditions, will be reviewed on a case-by-case basis by the Lake Manager. The request must include a note from the permittees doctor on clinic letterhead verifying the need for the special access permit. Access will be restricted to one trail in the immediate vicinity of the permitted facility. Special Access Waivers will be reviewed during each permit renewal period.

(2) Use of vehicle off authorized roads is allowed only for specific circumstances: to place dock facility in the water at the beginning of the season and once to remove dock facility from the water at the end of the season. Use of a vehicle may also be used to assist with raising or lowering of dock systems. After the maneuvering of the dock is finished, the vehicle will be moved back onto an authorized road.

15. 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:

- a. Water-Base Facilities: \$35.00 for a term of five (5) years.
- b. Vegetation Modification/Mowing: \$10.00 for a term of five (5) years.
- c. Additional Administration Fees.

16. Removal of Moorage Facilities.

All water-base facilities must be removed from the lake no later than 01 November of each year, unless the facility is constructed to specifications allowing it to freeze into place. The permit holder is permitted to leave the facility in the water, after complying with the following conditions:

- a. Manufacturer's specifications stating that the dock is designed to be "frozen in" must be submitted to the Garrison Project Office, prior to leaving the facility in the water past 01 November of each year.
- b. Flags of high visibility color – green/orange – must be placed on the outside corners of the facility. These flags must be a minimum of four feet (48") above the top of the dock.
- c. The dock must be adequately secured in order to prevent it from drifting into the reservoir upon thaw.

Water-base facilities can be stored on public lands, adjacent to the high waterline during the months of September-May only. However, an exception may be made during low water years, as approved by the Lake Manager. The facility may be stored on public lands through the months of May-September during low water years – when the lake elevation is below 1837.5 m.s.l. – adjacent to the high waterline, providing the facility is maintained and made visible to the public and the Corps. Trimming immediately around the facility will be allowed to ensure visibility. The application of chemicals to control vegetation is not permitted for the maintenance of the facility. If the facility is not being used and/or maintained, it must be removed from public lands.

17. 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.

18. Compliance Inspections.

Garrison Project Office staff will be allowed to cross the permittee's property if necessary, to conduct periodic compliance inspections on permitted facilities and/or activities on public lands. Permittees will be contacted via letter annually. The permittee will be notified of any deficiencies via a letter, at which time the permittee will have 14-days to correct any safety deficiency and 30-days to correct any structural or other deficiencies to the satisfaction of the Lake Manager. No deviation or changes from approved plans will be allowed without prior written approval of the Lake Manager. Failure to comply will result in revocation of the permit.

19. Shoreline Management Plan Review and Update.

The Shoreline Management Plan will be reviewed 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 Lake Manager review the activity for future consideration into the plan.

20. Additional Considerations.

Any situation not specifically addressed in this Shoreline Management Plan will be dealt with on a case-by-case basis. The Lake Manager will make the final determination regarding these situations.

ATTACHMENT A – APPLICATION FOR A SHORELINE USE PERMIT

1. **Eligibility Requirements/Guidance:**

a. To be granted a Shoreline Use Permit in a limited development area, the applicant must either:

- (1) Own or lease property contiguous to project lands, or
- (2) Have access to project lands via a public road.

b. The proposed facility or activity must be in accordance with the Garrison Project Office Shoreline Management Plan.

c. If the application is approved, the permittee will be sent a copy of the permit and one permit tag to be attached to the permitted structure in accordance with the “Shoreline Use Permit Conditions” - #17.

d. 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.

e. The permittee will notify the Garrison Project Office prior to making any changes to the permitted facility or activity. A Natural Resource Specialist will inspect the permitted facility or activity to ensure compliance with the approved plans.

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

a. Complete the “Application for a Shoreline Use Permit” (ENG 4264-R), checking the appropriate box under “Water-Base Activities”.

b. Prepare plans for the dock, mooring post or mooring buoy (see example) and prepare the site location map. **An on-site meeting may be necessary to determine exact site location.**

c. Submit the application, the plans, the site location map and a check or money order payable to “FAO USAED-Omaha” in the amount of \$35.00.

3. **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” and prepare the 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” in the amount of \$10.00.

5. **Submit the application, the proposed plan, and the site location map.**

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	
<div style="display: flex; justify-content: space-between;"><div style="width: 45%;">TYPE OF FACILITY (Check one or more blocks as appropriate)</div><div style="width: 50%; text-align: center;"><input type="checkbox"/> NEW <input type="checkbox"/> RENEWAL</div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div style="width: 45%; text-align: center;"><u>WATER-BASE</u> SINGLE-OWNER DOCK SKI JUMP COMMUNITY DOCK SKI COURSE MOORING BUOY SWIM FLOAT MOORING POST DUCK BLIND OTHER (Describe) _____</div><div style="width: 45%; text-align: center;"><u>LAND-BASE</u> UNDERBRUSHING MOWING PLANT /LANDSCAPING FOOT PATH EROSION CONTROL</div></div>			
BRIEF DESCRIPTION OF FACILITY LOCATION, STATE LICENSE NUMBER(S) OF BOAT(S) TO BE DOCKED (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	
<p>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.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%; text-align: center;">_____ (Date)</div><div style="width: 45%; text-align: center;">_____ (Signature of Applicant)</div></div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%; text-align: center;">_____ (Date)</div><div style="width: 45%; text-align: center;">_____ (Signature of Alternate)</div></div> <p style="text-align: center; margin-top: 10px;">(DO NOT WRITE BELOW THIS LINE)</p>			
PERMIT			
SHORELINE PERMIT NO.	DATE ISSUED	DATE EXPIRES (Date)	
<p>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.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%; text-align: center;">_____ (Date)</div><div style="width: 45%; text-align: center;">_____ (Signature of Resource Manager)</div></div>			

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 involvement.
DISCLOSURE	Disclosure of information is voluntary. However, failure to provide the requested information will preclude the issuance of a Shoreline Management permit.

GARRISON SUPPLEMENTAL FORM FOR COMMUNITY SHORELINE USE PERMIT

[illegible]

GARRISON SUPPLEMENTAL FORM FOR SHORELINE USE PERMIT

SHORELINE PERMIT NO. (leave blank if unknown)	DATE OF APPLICATION
--	---------------------

NAME OF APPLICANT <i>(and Spouse if applicable)</i>	TELEPHONE, AREA CODE AND NUMBER
---	---------------------------------

STREET	CITY, STATE, ZIP CODE
--------	-----------------------

Water-Based Facility: Drawing of Single-Owner / Community Dock / Mooring Post
(Include actual photos of your facilities when available, photos are an acceptable alternative to drawings)

A large, empty rectangular box with a black border, intended for a drawing or illustration. The box is centered on the page and occupies most of the available space below the text. It is a simple white rectangle with a thin black outline.

Narrative/ Description of Permitted Facility	

[illegible]

GARRISON SUPPLEMENTAL FORM FOR SHORELINE USE PERMIT

SHORELINE PERMIT NO.
(leave blank if unknown)

DATE OF APPLICATION

NAME OF APPLICANT *(and Spouse if applicable)*

TELEPHONE, AREA CODE AND NUMBER

STREET

CITY, STATE, ZIP CODE

Land-Based Activity: Drawing of Vegetation Modification

Narrative/ Description of Permitted Activity

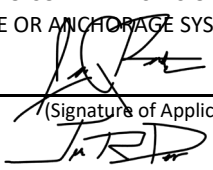
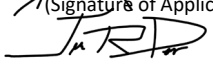
[illegible]

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 Garrison Project		DATE OF APPLICATION 30 June 2020	
NAME OF APPLICANT (and Spouse if applicable) John Q. and Jane M. Public		TELEPHONE, AREA CODE AND NUMBER 701-555-5555	
STREET 1234 Flat Water St.		CITY, STATE, ZIP CODE Riverdale, ND 58565	
TYPE OF FACILITY (Check one or more blocks as appropriate)			
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> NEW</div><div><input checked="" type="checkbox"/> RENEWAL</div></div>			
<div style="display: flex; justify-content: space-between;"><div><u>WATER-BASE</u> <input type="checkbox"/> SINGLE-OWNER DOCK <input checked="" type="checkbox"/> COMMUNITY DOCK <input type="checkbox"/> MOORING BUOY <input type="checkbox"/> MOORING POST <input type="checkbox"/> OTHER (Describe) _____</div><div><input type="checkbox"/> SKI JUMP <input type="checkbox"/> SKI COURSE <input type="checkbox"/> SWIM FLOAT <input type="checkbox"/> DUCK BLIND</div><div><u>LAND-BASE</u> <input type="checkbox"/> UNDERBRUSHING <input type="checkbox"/> PLANT /LANDSCAPING <input type="checkbox"/> EROSION CONTROL <input checked="" type="checkbox"/> MOWING <input type="checkbox"/> FOOT PATH</div></div>			
BRIEF DESCRIPTION OF FACILITY LOCATION, STATE LICENSE NUMBER(S) OF WATERCRAFT TO BE DOCKED (if this application is for boat mooring facility) OR DEVELOPMENT (If this application is for land use): We have a 25ft floating dock structure with 3 slips (see attached photo) located in Blank Bay. See attached map for dock location and mowing plan. Boat 1 - ND-111-ND; Owner John Q. Public Boat 2 - ND-222-ND; Owner Jim Q. Public Boat 3 - ND-333-ND; Owner James R. Doe PWC1 - ND-444-ND; Owner John Q. Public PWC2 - ND-555-ND; Owner Jim Q. Public			
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 James R. Doe		TELEPHONE, AREA CODE AND NUMBER 701-777-7777	
STREET 1234 Fast Water Ave.		CITY, STATE, ZIP CODE Riverdale, ND 58565	
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			
30 June 2020 (Date)		 (Signature of Applicant)	
30 June 2020 (Date)		 (Signature of Alternate)	
(DO NOT WRITE BELOW THIS LINE)			
PERMIT			
SHORELINE PERMIT NO.		DATE ISSUED	DATE EXPIRES
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)	

GARRISON SUPPLEMENTAL FORM FOR COMMUNITY SHORELINE USE PERMIT

SHORELINE PERMIT NO.

#####

DATE OF APPLICATION

30 June 2020

NAME OF APPLICANT (and Spouse if applicable)

John Q. and Jane M. Public

TELEPHONE, AREA CODE AND NUMBER

701-555-5555

STREET

1234 Flat Water St.

CITY, STATE, ZIP CODE

Riverdale, ND 58565

COMMUNITY DOCK ONLY: THE FOLLOWING IS A LIST OF INDIVIDUALS APPROVED TO USE THIS DOCK STRUCTURE

NAME

Jim Q. Public

TELEPHONE, AREA CODE AND NUMBER

701-444-4444

STREET

1234 Engineer Way

CITY, STATE, ZIP CODE

Bismarck, ND 58503

REGISTERED WATERCRAFT

PWC2 - ND-555-ND

NAME

James R. Doe

TELEPHONE, AREA CODE AND NUMBER

701-777-7777

STREET

1234 Fast Water Ave.

CITY, STATE, ZIP CODE

Riverdale, ND 58565

REGISTERED WATERCRAFT

Boat3 - ND-333-ND / PWC2 - ND-555-ND

NAME

N/A

TELEPHONE, AREA CODE AND NUMBER

STREET

CITY, STATE, ZIP CODE

REGISTERED WATERCRAFT

NAME

N/A

TELEPHONE, AREA CODE AND NUMBER

STREET

CITY, STATE, ZIP CODE

REGISTERED WATERCRAFT

NAME

N/A

TELEPHONE, AREA CODE AND NUMBER

STREET

CITY, STATE, ZIP CODE

REGISTERED WATERCRAFT

NAME

N/A

TELEPHONE, AREA CODE AND NUMBER

STREET

CITY, STATE, ZIP CODE

REGISTERED WATERCRAFT

GARRISON SUPPLEMENTAL FORM FOR SHORELINE USE PERMIT

SHORELINE PERMIT NO.
(leave blank if unknown)

DATE OF APPLICATION
30 June 2020

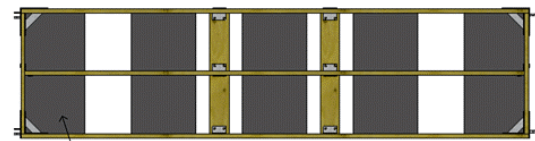
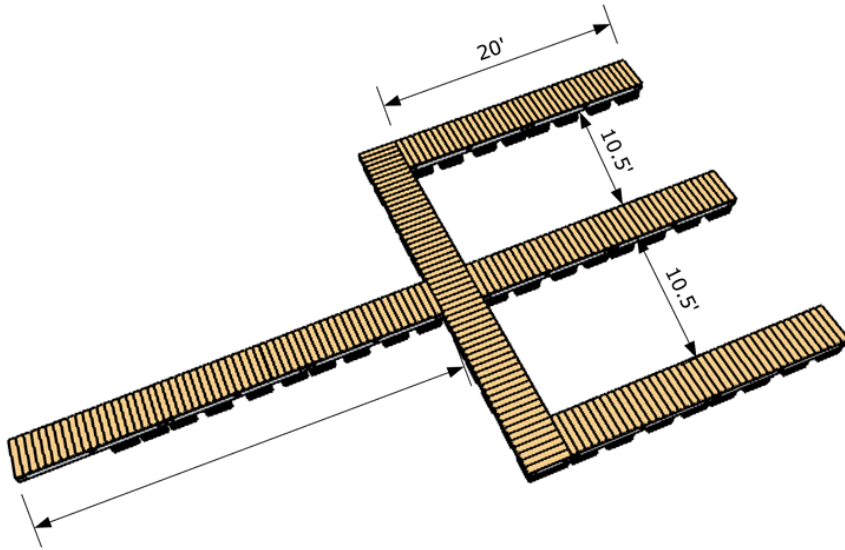
NAME OF APPLICANT (and Spouse if applicable)
John Q. and Mary J. Public

TELEPHONE, AREA CODE AND NUMBER
701-555-5555

STREET
1234 Flat Water St.

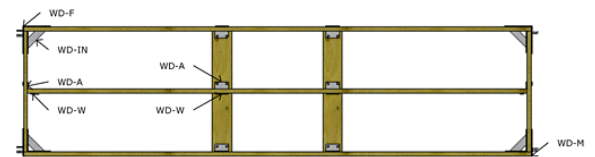
CITY, STATE, ZIP CODE
Riverdale, ND 58565

Water-Based Facility: Drawing of Single-Owner / Community Dock / Mooring Post
(Include actual photos of your facilities when available, photos are an acceptable alternative to drawings)



E-2412F

Float Layout :: A
scale: 1/4"=1' 001



Hardware :: A
scale: 1/4"=1' 002

Narrative/ Description of Permitted Facility

Our dock is a floating 25 ft. walkway connected to a two slip system each 20 ft. long. Dock is made from marine approved (lumber/aluminum/plastic) and the floatation is completely enclosed with high-density polyethylene with an eight year manufacturer's warranty. This dock can be frozen in place per the manufacturer's specifications, included in this packet.

NOTE: NO METAL FLOATATION OR PLASTIC BARRELS OR DRUMS ARE AUTHORIZED. ALL FLOATATION DEVICES MUST BE STATE AND FEDERALLY APPROVED.

GARRISON SUPPLEMENTAL FORM FOR SHORELINE USE PERMIT

SHORELINE PERMIT NO.
(leave blank if unknown)

DATE OF APPLICATION
30 June 2020

NAME OF APPLICANT *(and Spouse if applicable)*
John Q. and Mary J. Public

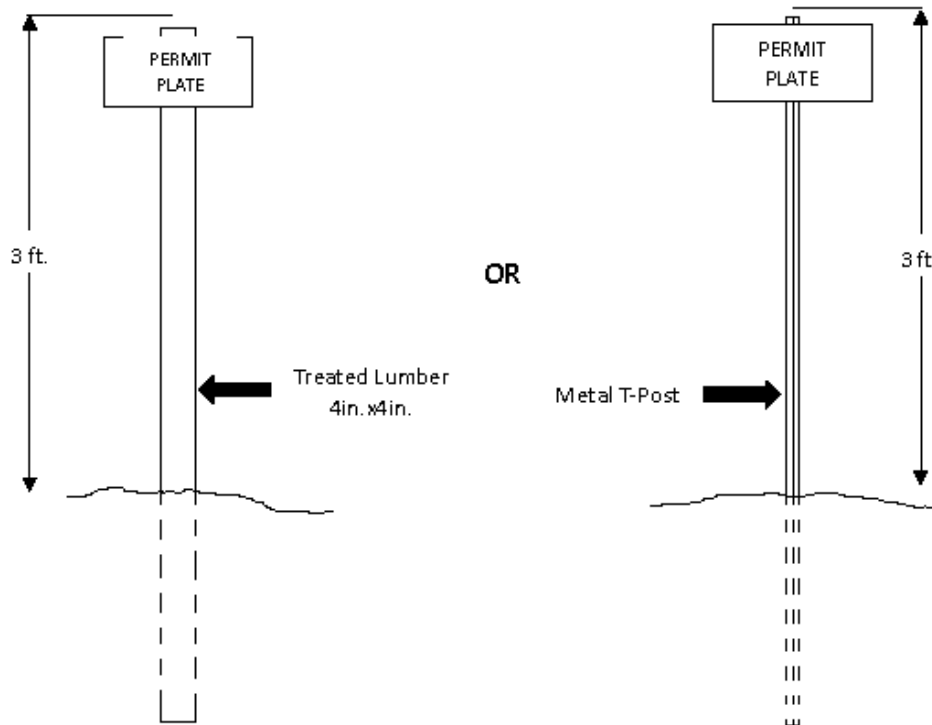
TELEPHONE, AREA CODE AND NUMBER
701-555-5555

STREET
1234 Flat Water St.

CITY, STATE, ZIP CODE
Riverdale, ND 58565

Water-Based Facility: Drawing of Single-Owner / Community Dock / Mooring Post
(Include actual photos of your facilities when available, photos are an acceptable alternative to drawings)

Front View



Narrative/ Description of Permitted Facility

Our mooring post will be established and maintained in the area shown on the attached map. It will be constructed out of a (4x4 post or T-post) and be set at a height of 3 ft. above ground level.

I will ensure the mooring post is moved properly as water levels fluctuate each season ensuring I do not create a hazard under the water. The mooring post will be removed from public lands prior to October 31st each year.

SAMPLE

GARRISON SUPPLEMENTAL FORM FOR SHORELINE USE PERMIT

SHORELINE PERMIT NO.
(leave blank if unknown)

DATE OF APPLICATION
30 June 2020

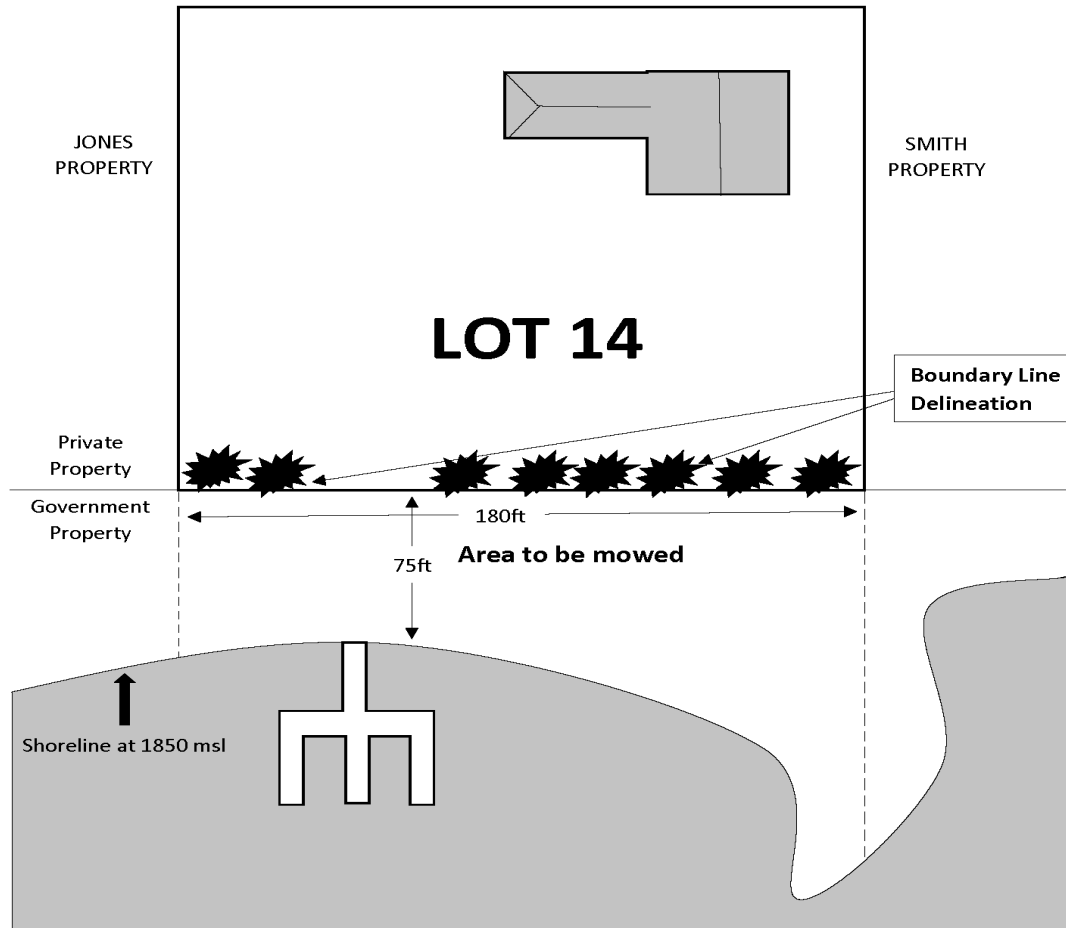
NAME OF APPLICANT (and Spouse if applicable)
John Q. and Mary J. Public

TELEPHONE, AREA CODE AND NUMBER
701-555-5555

STREET
1234 Flat Water St.

CITY, STATE, ZIP CODE
Riverdale, ND 58565

Land-Based Activity: Drawing of Vegetation Modification

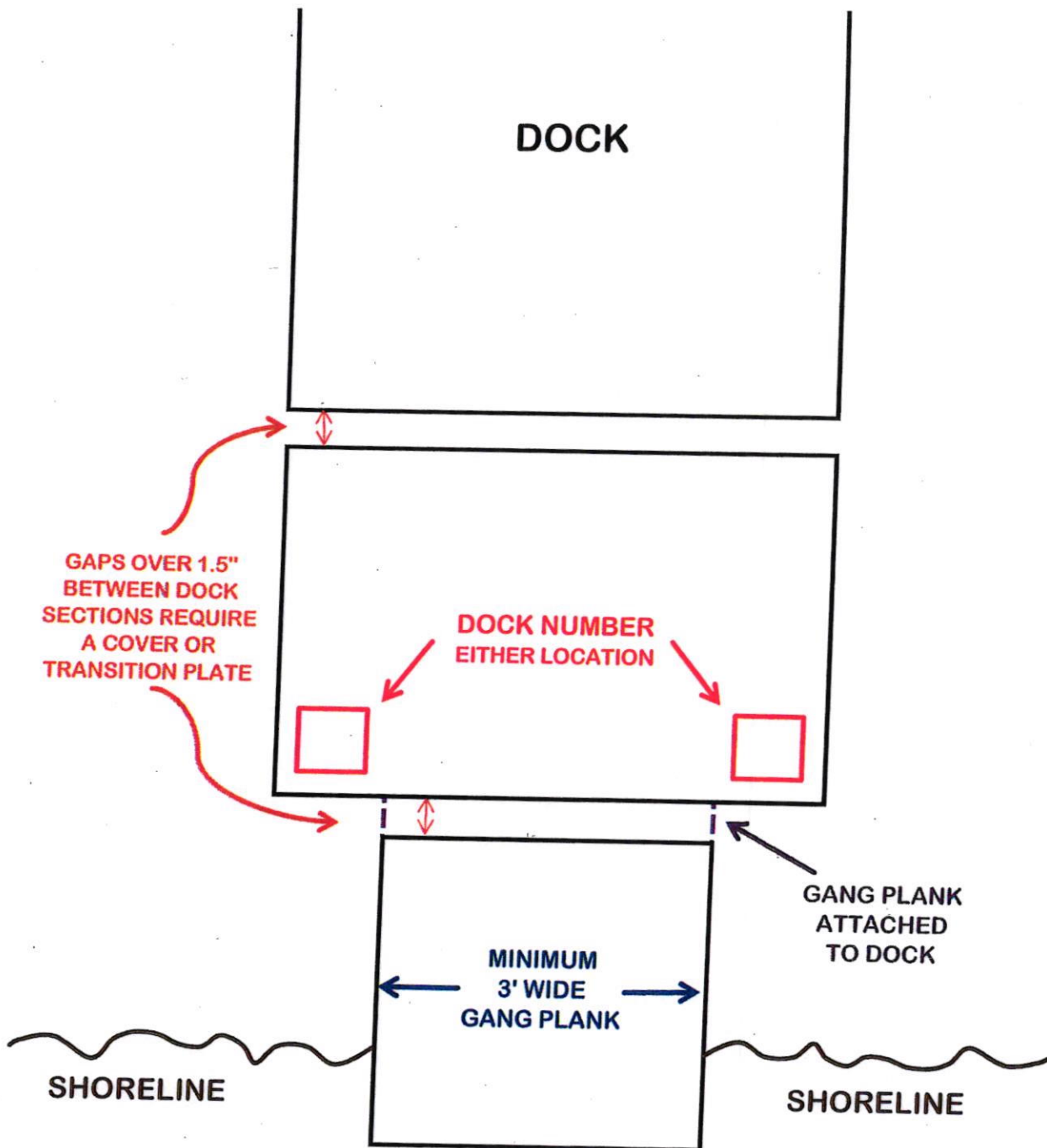


Narrative/ Description of Permitted Activity

We are requesting to mow Corps of Engineers public lands between our Lot #14 and Lake Sakakawea at elevation 1850 MSL. The area is approximately 180 ft x 75 ft with a little extra stretching to the peninsula tip. We will mow at a height to ensure no rocks or soil is disturbed.

SAMPLE

DOCK REQUIREMENTS



What is a Transition Plate?

A transition plate is designed to provide a smooth transition between the gangway, dock or floating docks it sits on, eliminating the greater than 1.5" gap in between sections.

ATTACHMENT B – MINIMUM STANDARDS FOR WATER-BASE FACILITIES

The size of all structures shall be kept to a minimum to limit intrusion on the water surface. No structure shall 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 shall 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 and 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 12". When dead load freeboard falls below the minimum, replacement is required to meet the minimum of 12".

(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 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 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 the 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, gangplanks and approaches shall be at least 3' in width, be structurally sound and be physically attached to the dock. On walkways connecting sections of C docks, walkways will adhere to the construction type and material of the original dock and must be fastened to dock structure. Connecting walkways must be free of clutter at all times and maintain 3' minimum width.

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 2" x 6" or 2" x 8" factory-treated lumber, 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.

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 77 MPH (15 pounds/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.

6. MISCELLANEOUS.

a. Storage compartments (dock boxes) are permissible on docks but shall not exceed 24" in depth, 30" in height, and 8 feet in length. The dock boxes must be securely

fastened, and located in such a way that at least ½ of the walkway remain clear.

b. Boat tie downs or cleats shall be commercially constructed of metal, or of an approved material that is equal in strength and is appropriate for the dock.

c. Permanent grills or fire pits of any type are **not** permitted.

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. In addition, the added item will not overhang (i.e., extend beyond the edge) the dock by more than 18 inches (1.5 feet). Electrical work must be certified, and the electrician's certificate sent to the Garrison Project Office.

e. Docks, if painted, shall 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 POSTS, MOORING BUOYS & ANCHORAGE:

a. MOORING POSTS: A mooring post must be designed to adequately secure a boat under high wind or wave conditions. The permittee is fully responsible for ensuring that the post is properly maintained and that it is fully visible so that it does not constitute a safety hazard to the public utilizing the shoreline. At a minimum a 4" x 4" wooden post or a metal t-post will be used as a mooring post and be placed at least 3' above the ground. Metal material used must be corrosion resistant and wooden material must be sealed with marine grade paint or stain because of the constant contact with the water.

b. MOORING BUOY: A mooring buoy must meet all federal and state regulations, be at least 18" 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.

c. 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.

ATTACHMENT 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, 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 Lake Manager 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 Lake Manager 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 that 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, and in conformance with the plans that have been submitted to, and approved by the Corps of Engineers. 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 safe manner, and to 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. Permittee must place, maintain, and use structure on an annual basis. If the permittee ceases to use, operate or maintain a permitted facility annually the permit will become null and void. The permittee shall remove the permitted facility from public property 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. If the permittee fails to comply to the satisfaction of the resource manager, the district commander may remove the facility by contract or otherwise and the permittee agrees to pay all costs incurred thereof.

11. Permitted facilities and/or activities are subject to periodic inspection by authorized Corps representatives. 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 Lake Manager. No deviation or changes from approved plans will be allowed without prior written approval of the Lake 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.

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

13. This permit is non-transferable. Upon the sale or other transfer of the permitted facility and/or activity, or the death of the permittee and his/her legal spouse, this permit is null and void.

14. If the ownership of a permitted facility and/or activity is sold or transferred, the permittee or new owner will notify the Lake 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.

15. 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 Lake 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.

16. Notwithstanding the condition above, if in the opinion of the district commander emergency circumstances dictate otherwise, the district commander may summarily revoke the permit.

17. The permit plate shall be attached to the dock, preferably at the front of the dock. If the permit is for a mooring post/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.

18. The permittee shall notify the Garrison Project Office within 30 days of any change of his/her residence mailing address. Failure to do so could result in cancellation of the permit.

19. No change in landform such as grading, excavation or filling is authorized by this permit.
20. Use of vehicle off authorized roads is allowed only for specific circumstances: to place dock facility in the water at the beginning of the season and once to remove dock facility from the water at the end of the season. Use of a vehicle may also be used to assist with raising or lowering of dock systems. After the maneuvering of dock is finished, vehicle will be moved back onto authorized road.
21. 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.
22. 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.
23. 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.
24. 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.
25. Floating facilities shall be securely attached to the shore in accordance with the approved plans by means of moorings that do not obstruct general public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited.
26. 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 77MPH (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.

27. 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 sent to the Garrison Project Office.

28. Electrical service is allowed to private structures. Service on or leading to facilities and leading to must not pose a safety hazard nor conflict with other recreational use. A licensed/certified electrician will be used for installation, and certification provided to the Project office prior to permit being issued or renewed. Electrical installation must meet all current applicable electrical codes and regulations. The facility must be equipped with quick disconnect fittings mounter above the flood pool elevation. All electrical installations must conform to the National Electric Code, and all state and local codes and regulations. The Lake 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 being safely maintained.

29. All water-base facilities must be removed from the lake no later than 1 November of each year, unless the facility is constructed to specifications allowing it to freeze into place. The permit holder is permitted to leave the facility in the water, after complying with the following conditions:

a. Manufacturer's specifications stating that the dock is designed to be "frozen in" must be submitted to the Corps of Engineers office, prior to leaving the facility in the water past 1 November of each year.

b. Flags of high visibility color – green/orange – must be placed on the outside corners of the facility. These flags must be a minimum of four feet (48") above the top of the dock.

c. The dock must be adequately secured in order to prevent it from drifting into the reservoir upon thaw.

Water-base facilities can be stored on public lands, adjacent to the high waterline during the months of September-May only. However, an exception may be made during low water years, as approved by the Lake Manager. The facility may be stored on public lands through the months of May-September during low water years – when elevation is below 1837.5 MSL – adjacent to the high waterline, providing the facility is maintained and made visible to the public and the Corps of Engineers. Trimming immediately around the facility will be allowed to ensure visibility. The application of chemicals to control vegetation is not permitted for the maintenance of the facility. If the facility is not being used and/or maintained, it must be removed from public lands.

30. No vegetation other than 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.

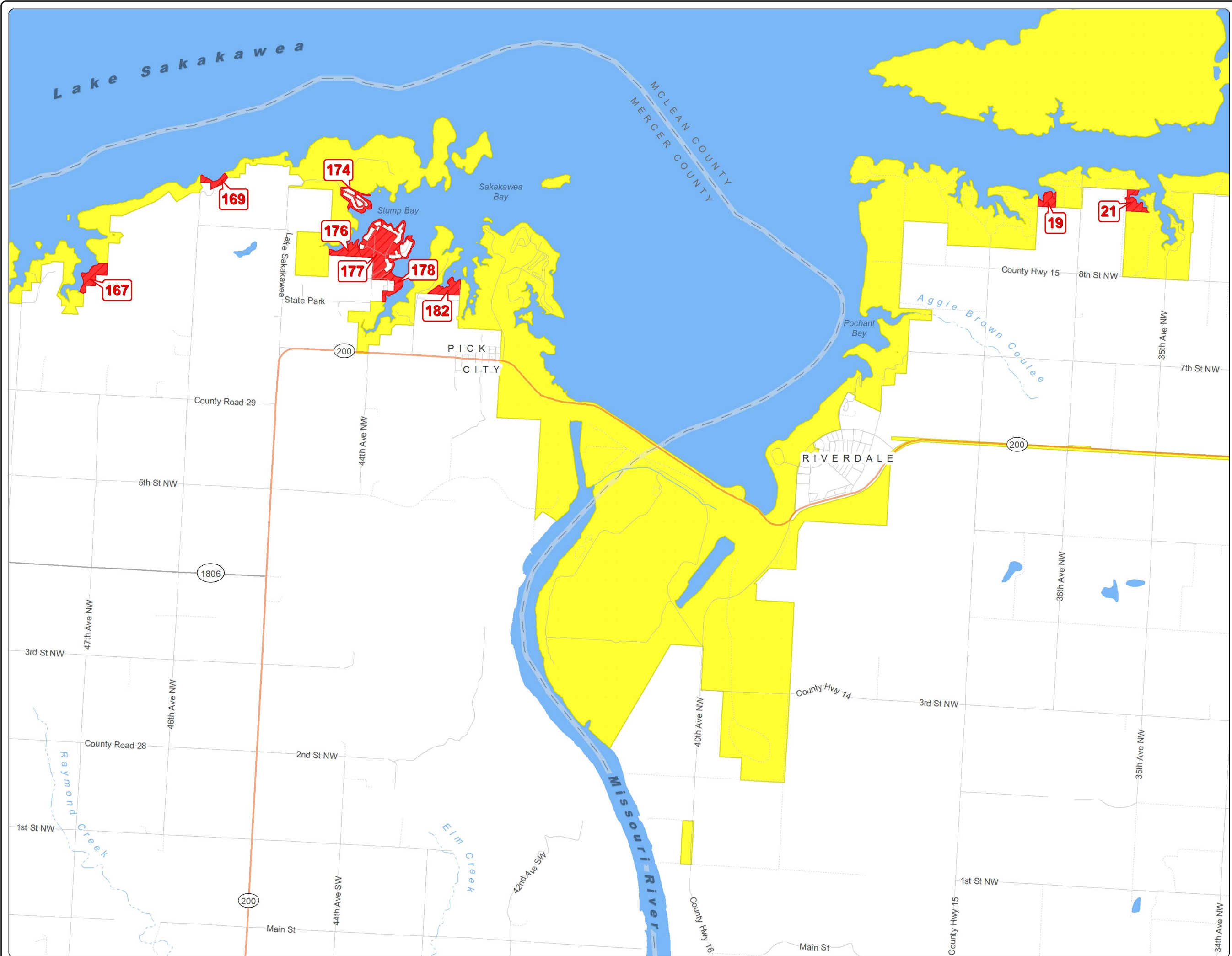
31. When vegetation modification is allowed, the permittee will delineate the government

property line in a clear, but unobtrusive manner approved by the Lake Manager. All methods for delineating the boundary line for vegetation modification must be completed within 30 days of the permit issuance date.

32. When vegetation modification on these lands is accomplished by chemical means, the modifications will be in accordance with appropriate Federal, state and local laws, rules and regulations. Any chemicals used will require the advanced written approval of the Lake Manager. The type of chemicals used, and the time and location of their use, will be documented and sent to the Garrison Project Office.

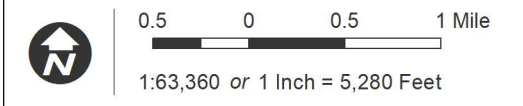
Garrison Project Shoreline Use Permits available per area 2020

MU #	Permit Area	Number of Dock Permits	Community DOCKS Only
Riverdale COE Managed Shoreline Permits			
South Shore			
163	Beulah Bay Cabin Sites	14	
169	Ellwein Estates	10	Yes
163	Homestead Acres	1	Yes
169	Rolling Hills	6	Yes
182	Sakakawea Estates	14	
19	Wolf Ck West	16	Yes
21	Wolf Creek Old (Mallard View Estates)	17	
North Shore			
42	Hidden Bay//Reuters	36	
54	Iglehart Deluxe	27	
44	Krugers(Sunset Bay)	11	
36	Lake View Estates	33	
79	Little Knife	17	
46	Schlichting	31	Yes
52	Spring Ck/ Iglehart LV	46	
Areas Managed Under One Stop License			
South Shore			
178	Happy Acres	30	
154	Mahto Cabin Site	20	
174	Pick City 2 (cabin)	32	
177	Sakakawea Bay Cabin Site/Pick City 1/Bayview Heights	66	
176	West Acres Ass.	20	
North Shore			
62	Deep Water	25	
38	Garrison Creek	39	
40	Hide A Way Point	52	
27	Lake Audubon Cabin Site	90	
27	Lake Audubon Cabin Site 2	12	Yes
45	Krugers North/North Lake View	11	Yes
Williston Office COE Managed Shoreline Permits			
92	PARADISE POINT	16	
90	KEYS COVE	16	
99	CHRIS COVE	19	
89	RED MIKE	28	
Williston Office One Stop License			
99	LONG CREEK	42	



Garrison Dam Lake Sakakawea

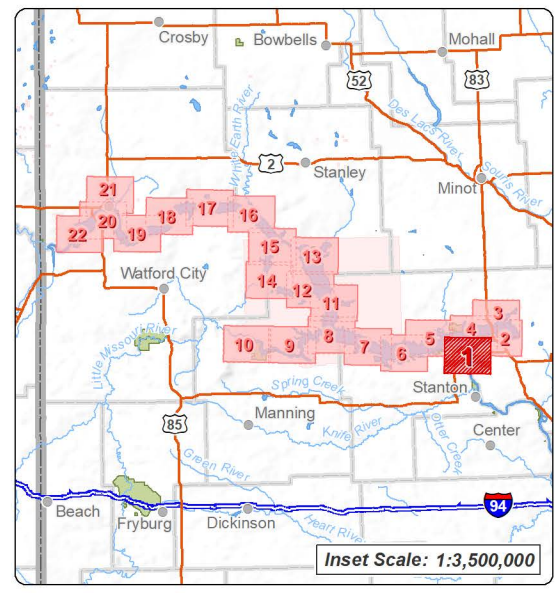
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- Protected Shoreline Area
- Transferred Land (Pub. L. 98-602)

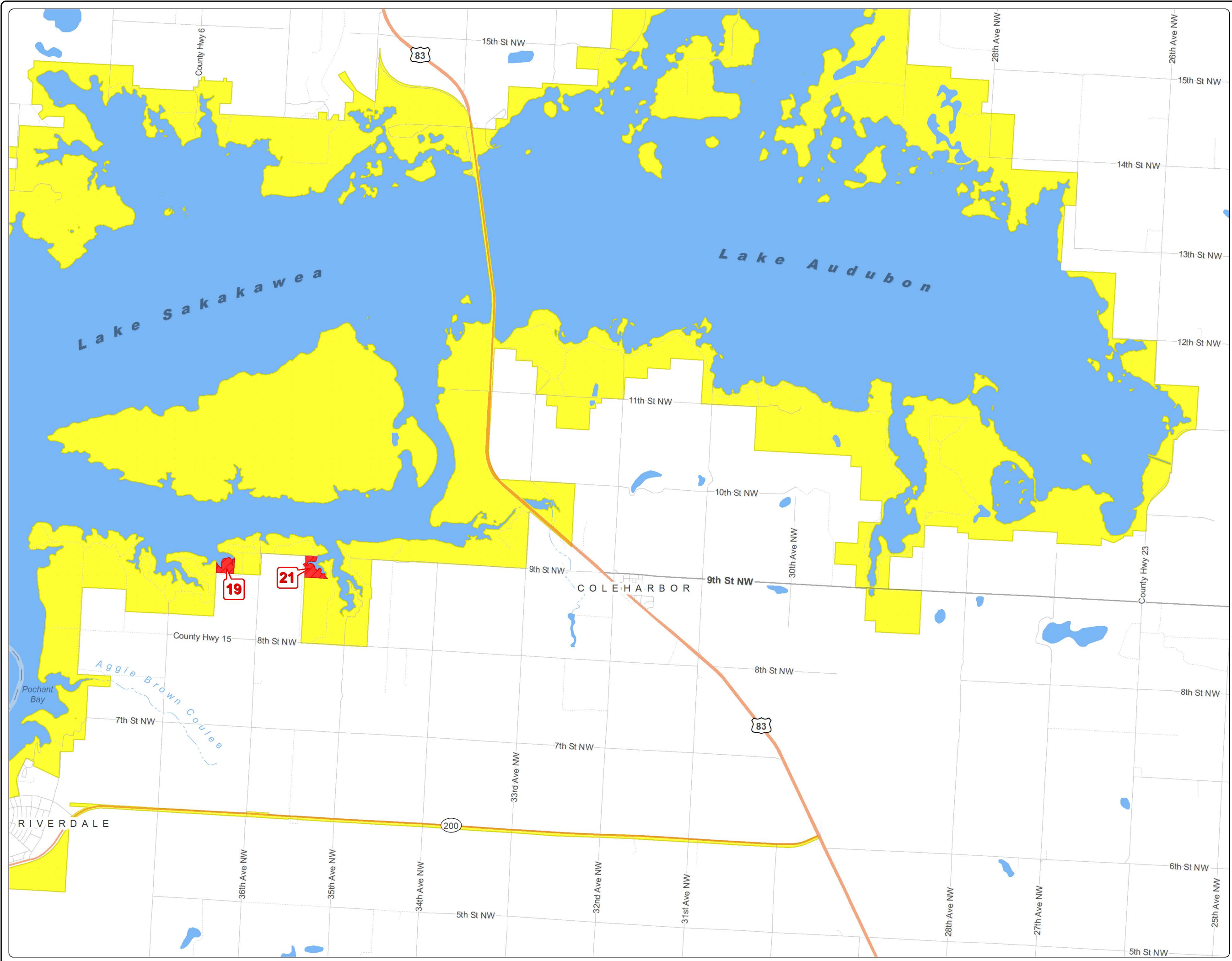


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Source(s): USACE; ESRI
Size: Tabloid (11"x 17")


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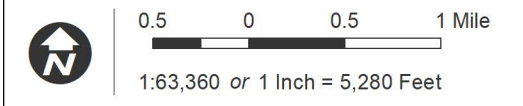
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Garrison Dam Lake Sakakawea

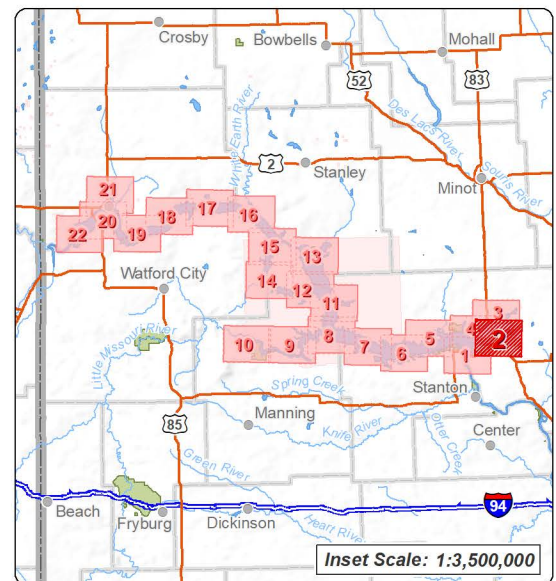
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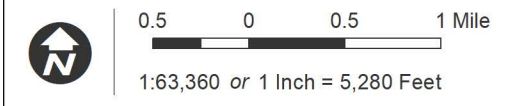
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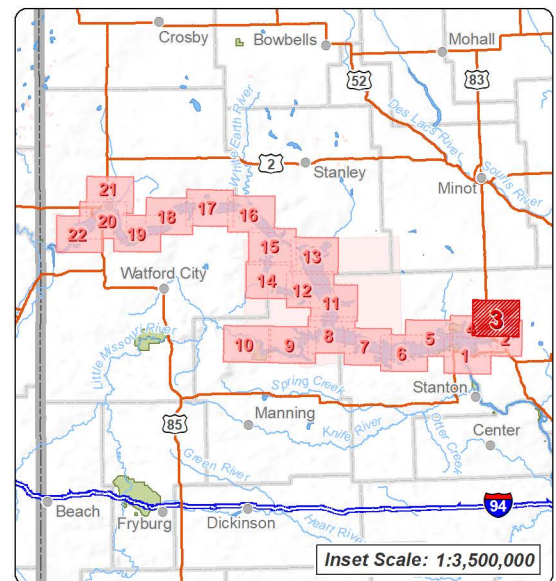
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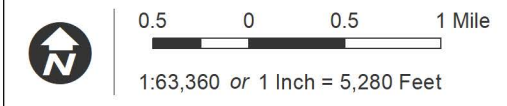
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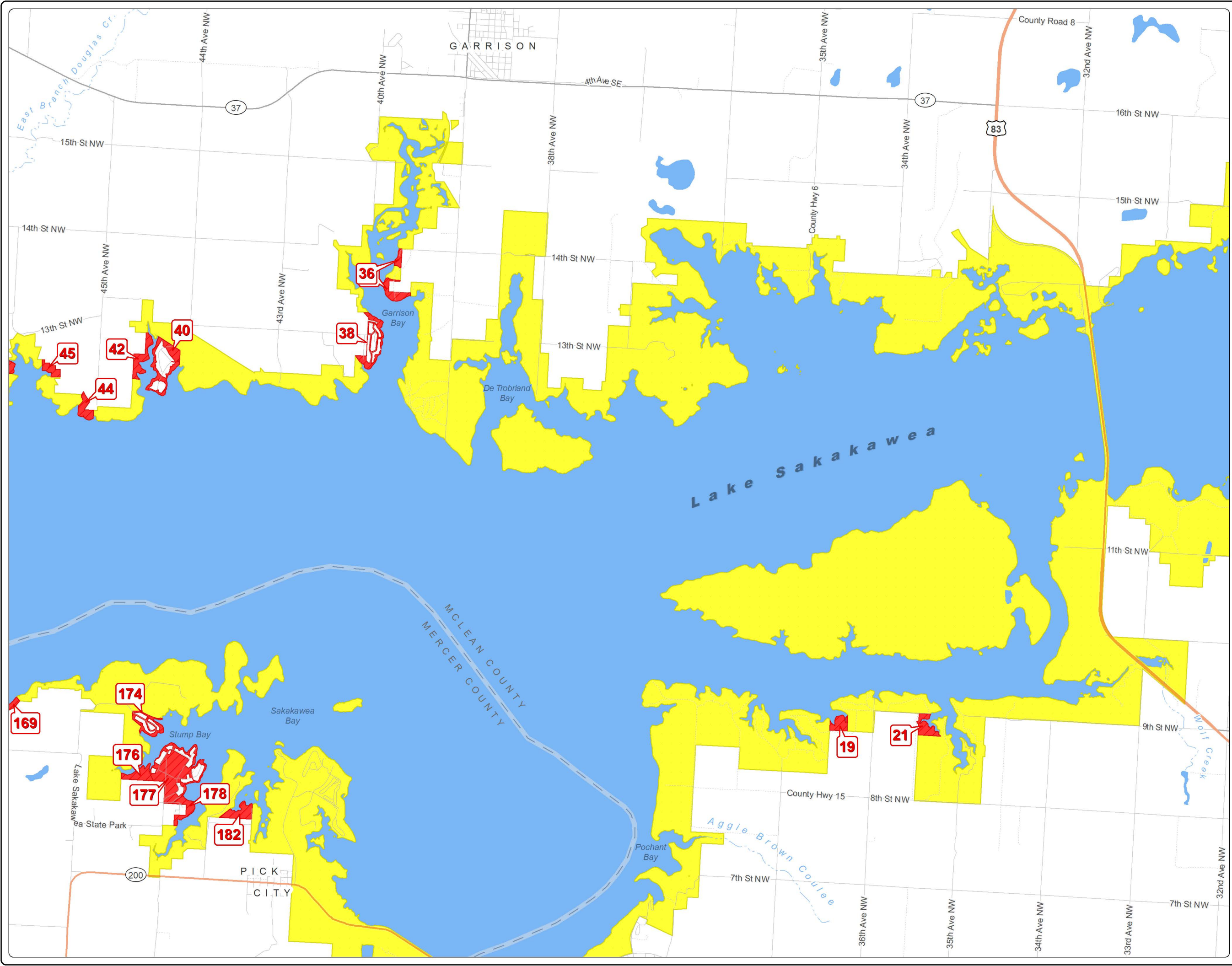
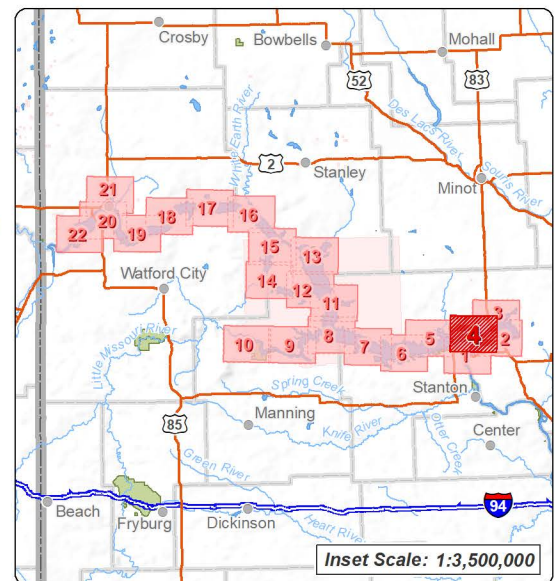
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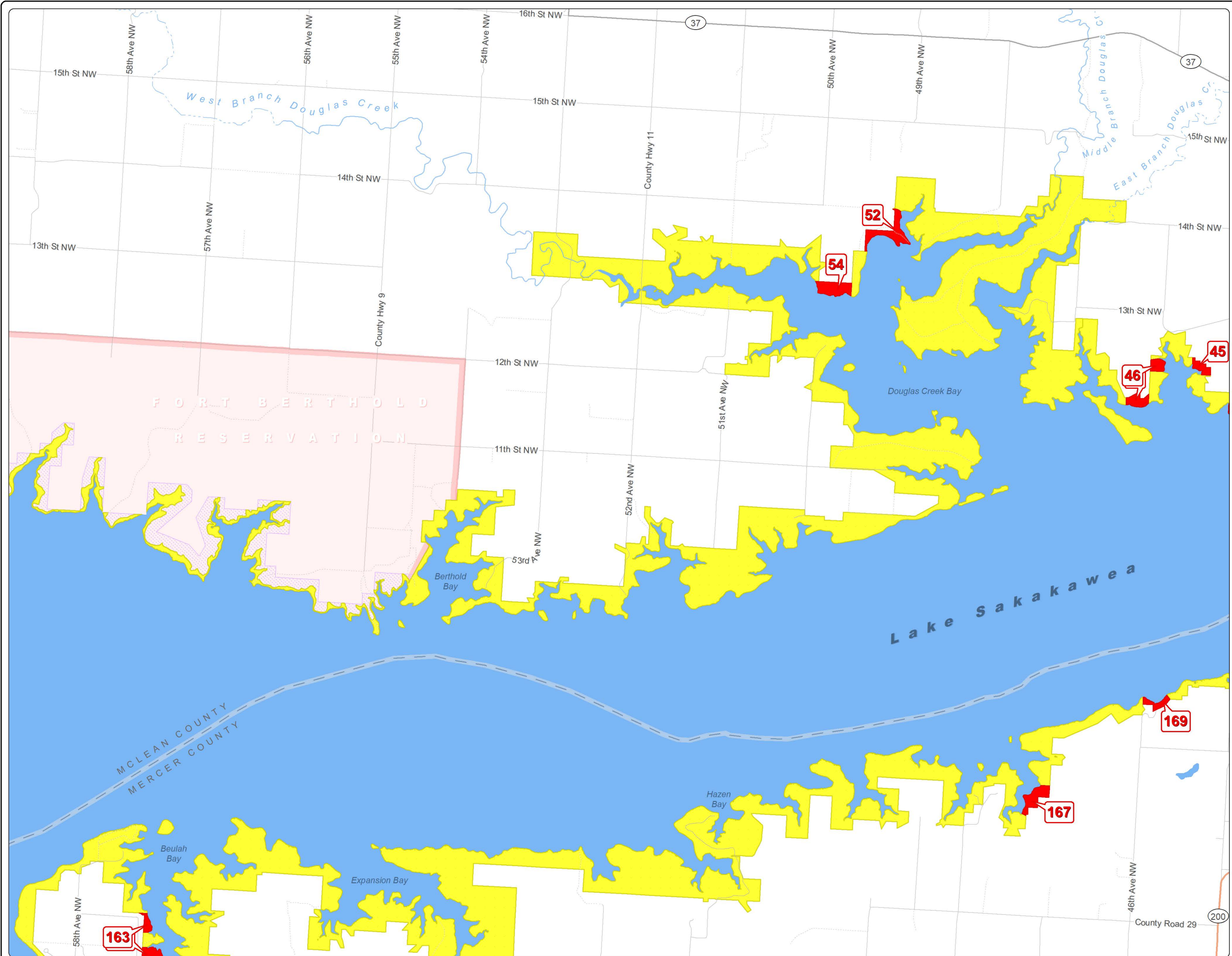


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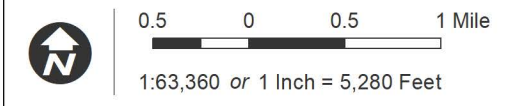
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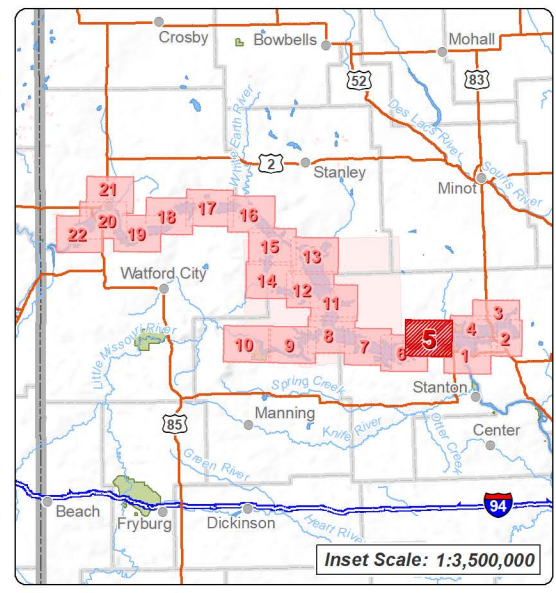
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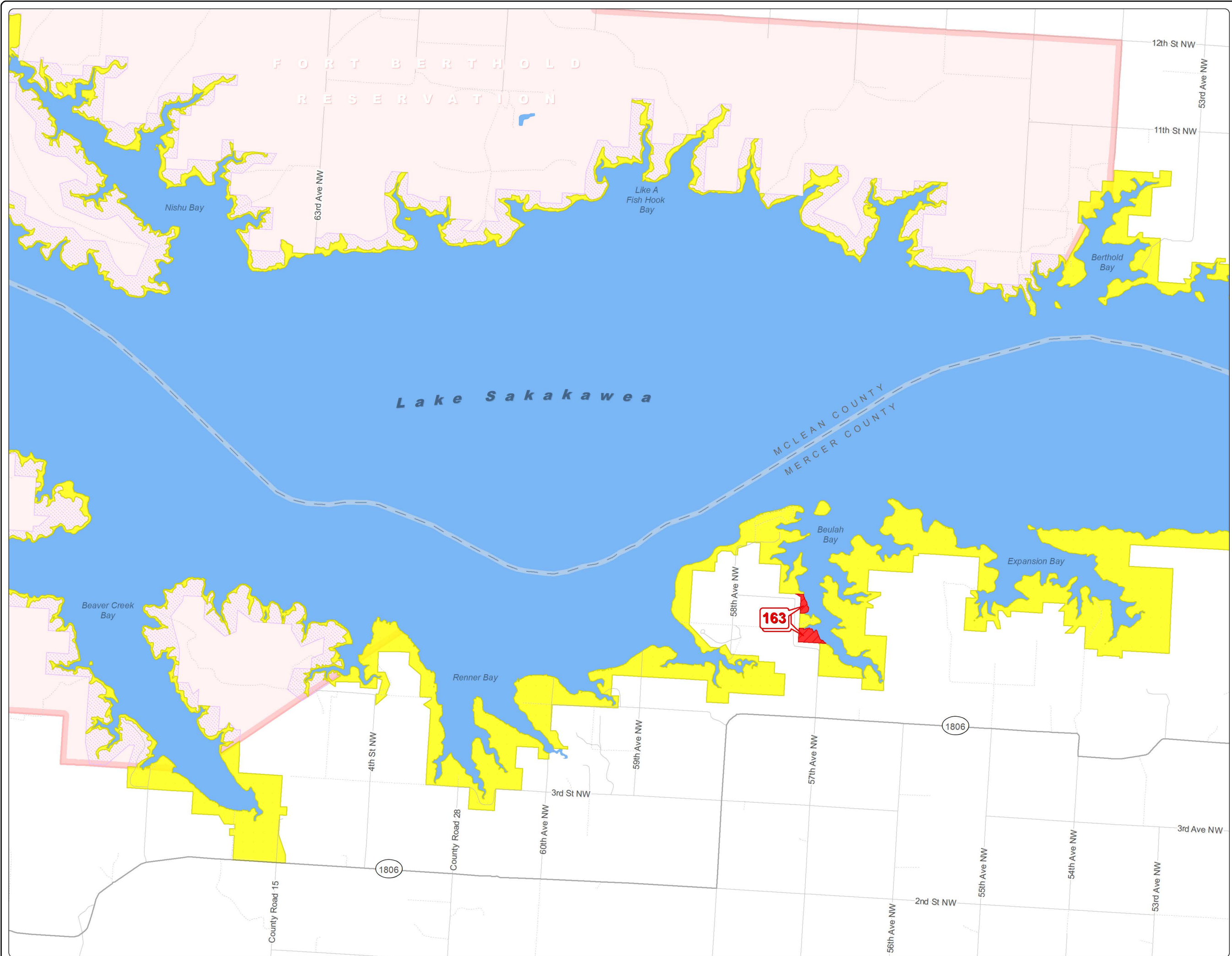


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SHORELINE MANAGEMENT PLAN

**Garrison Dam
Lake Sakakawea**

SHORELINE USE CLASSIFICATION

Limited Development Area

Protected Shoreline Area

Transferred Land (Pub. L. 98-602)

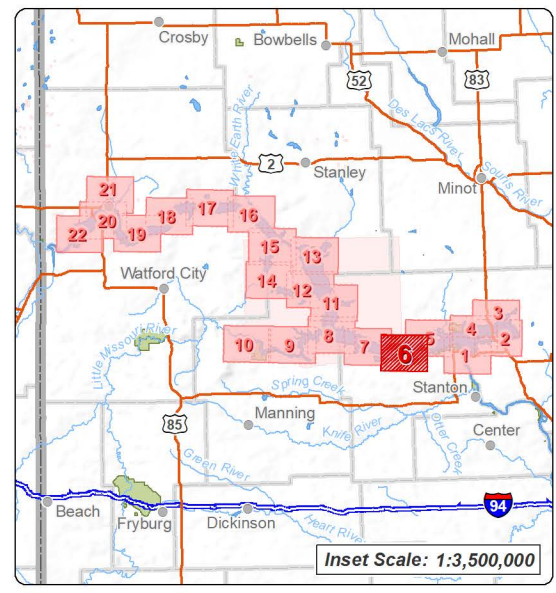
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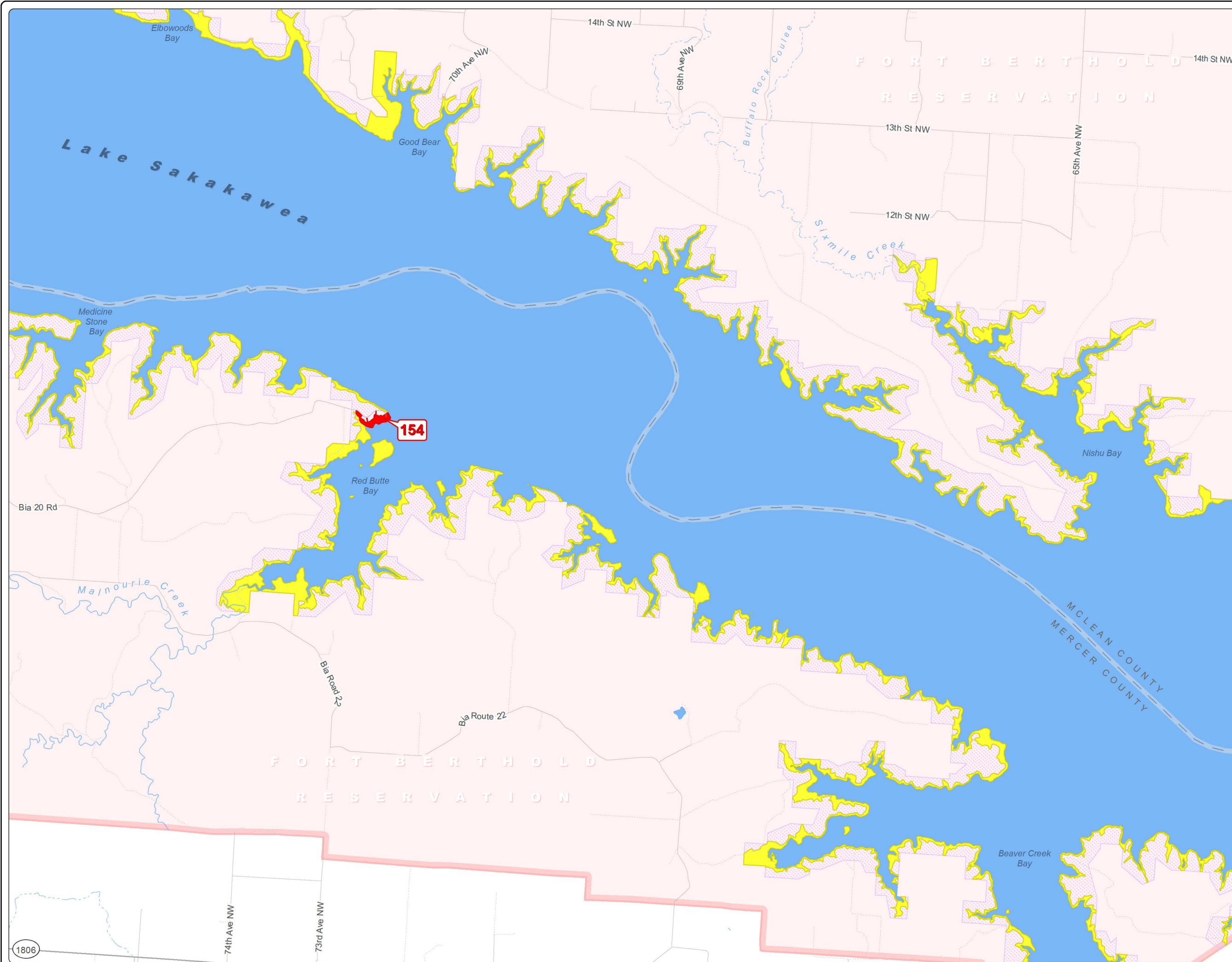
1:63,360 or 1 Inch = 5,280 Feet

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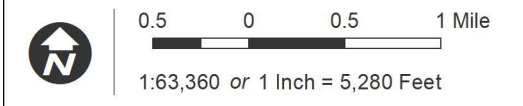


— SHORELINE MANAGEMENT PLAN —

Garrison Dam Lake Sakakawea

— SHORELINE USE CLASSIFICATION —

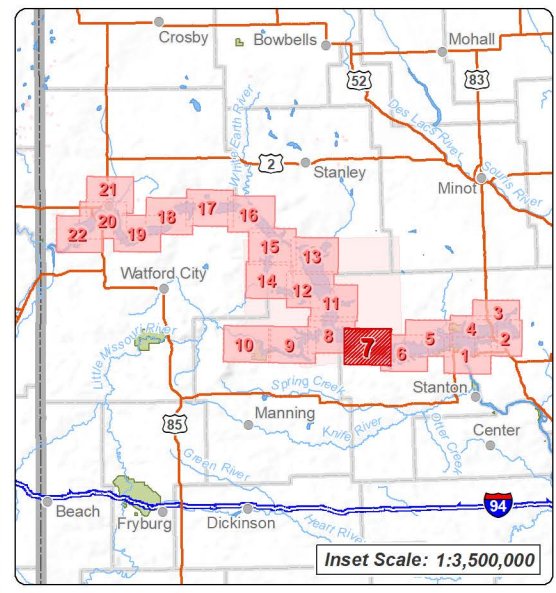
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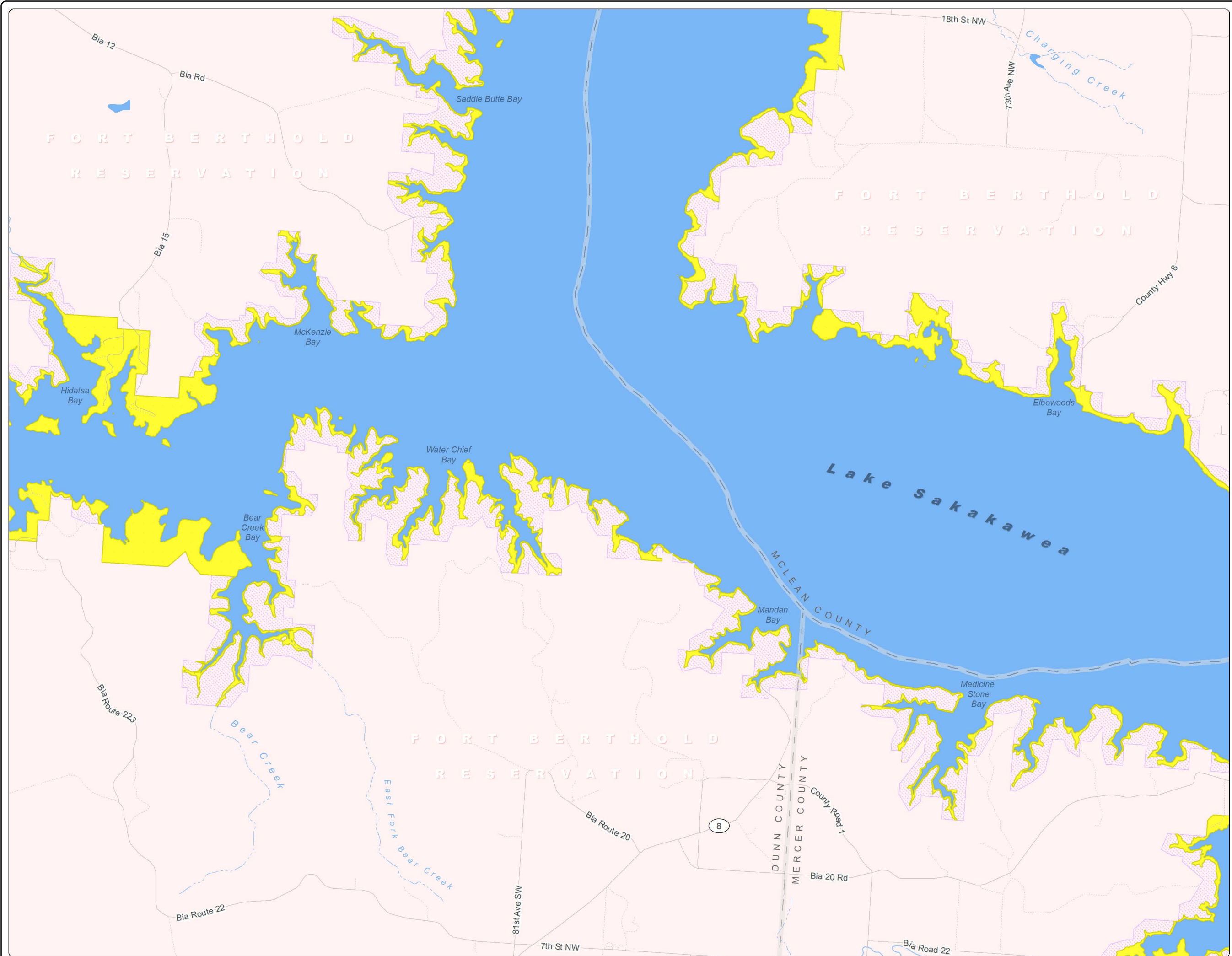


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— SHORELINE MANAGEMENT PLAN —

Garrison Dam Lake Sakakawea

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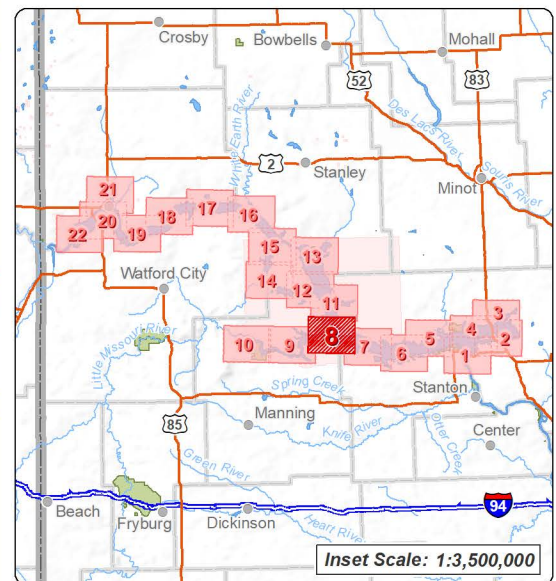
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 0.5 0 0.5 1 Mile
1:63,360 or 1 Inch = 5,280 Feet




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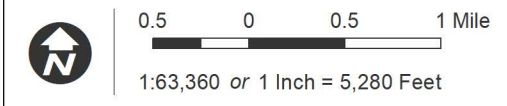
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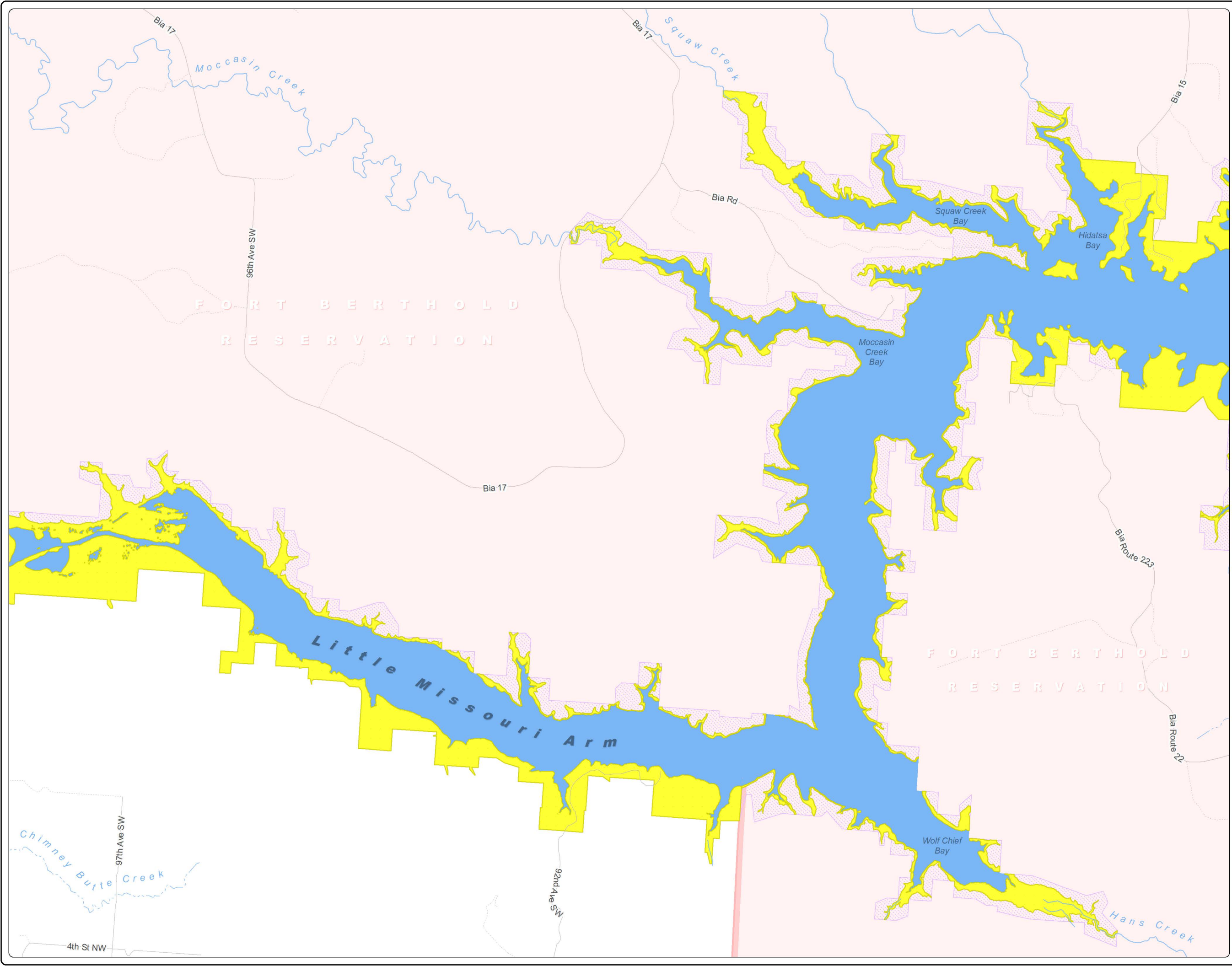
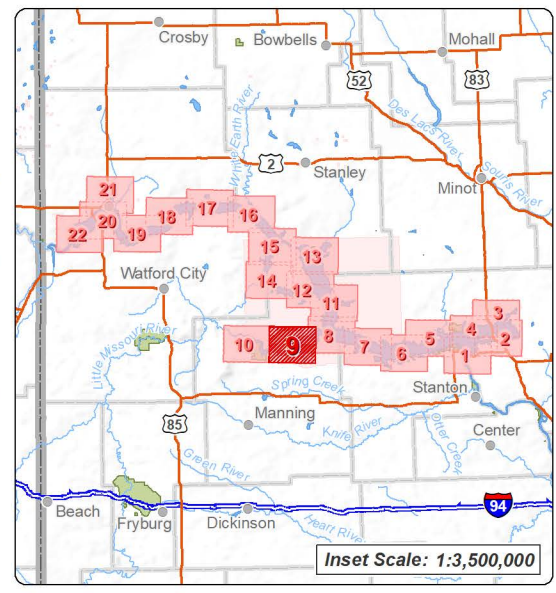
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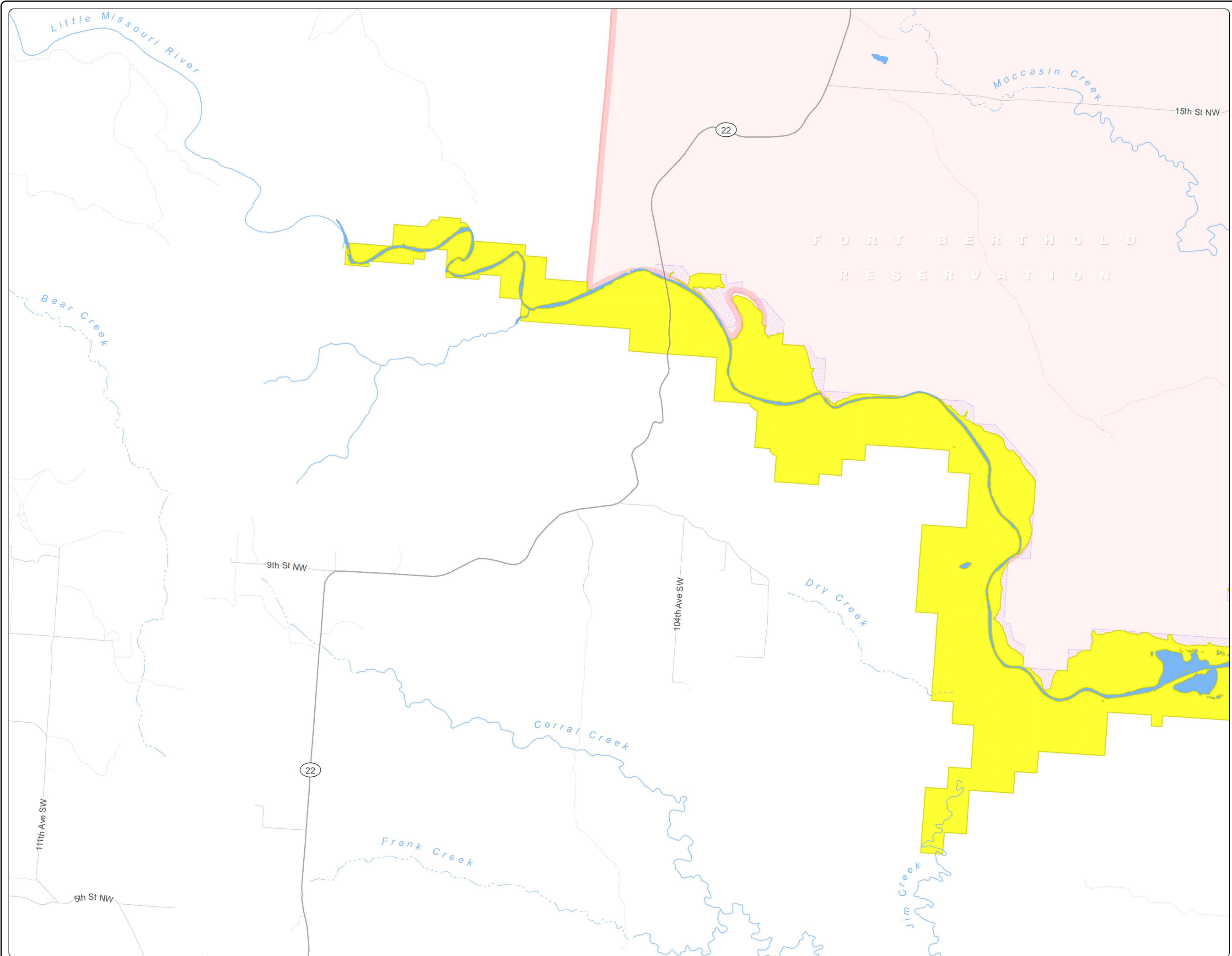


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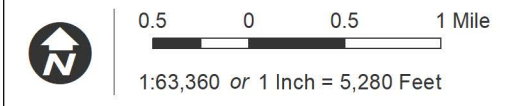
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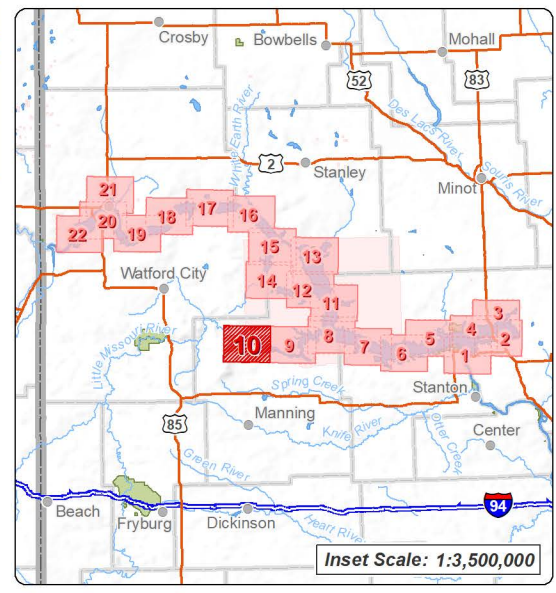
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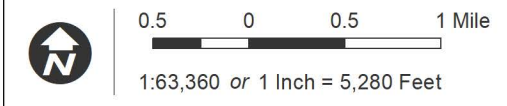
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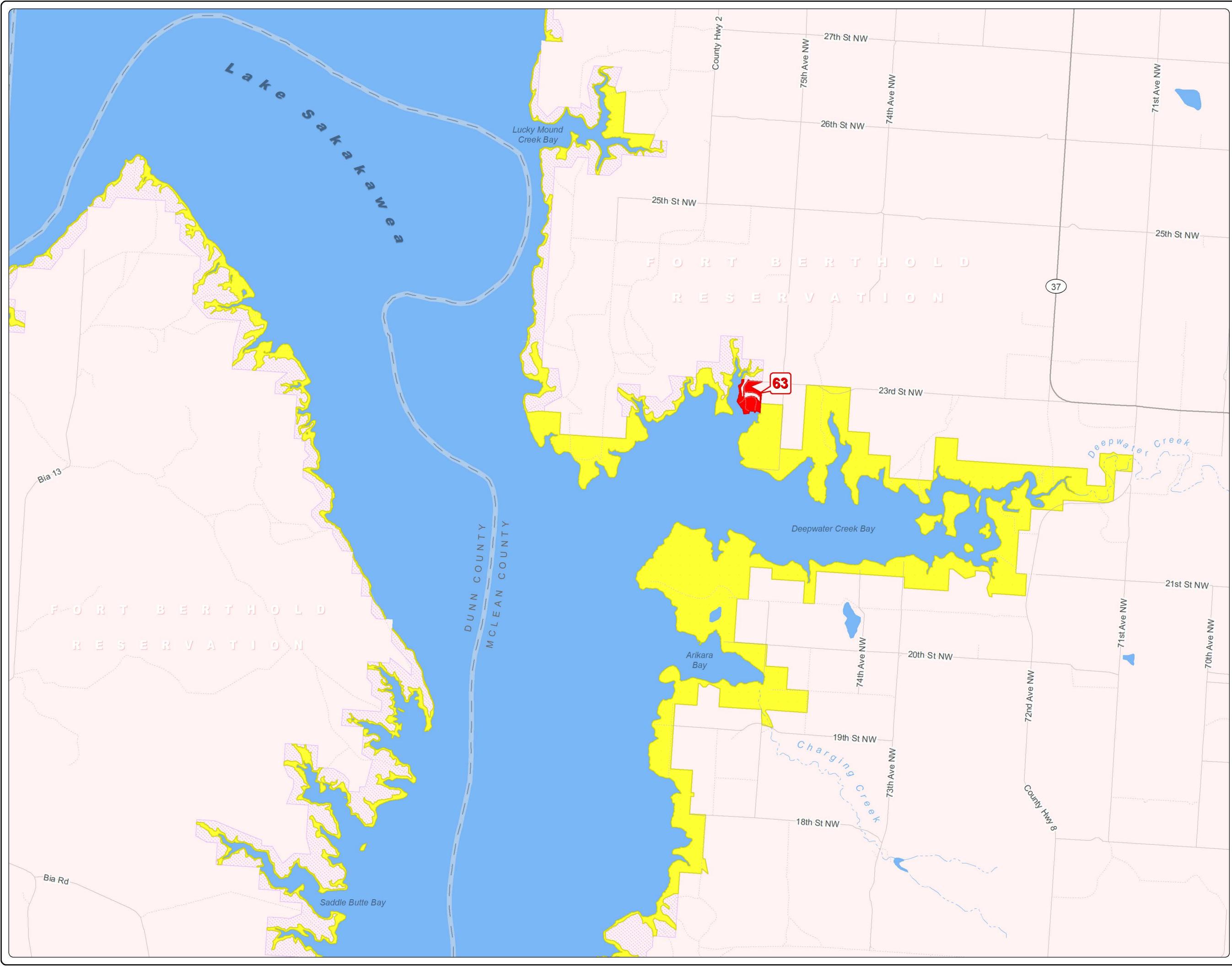
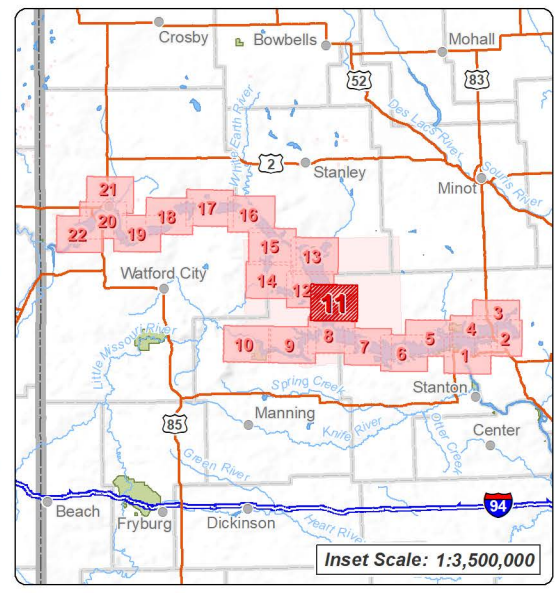
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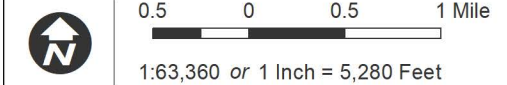
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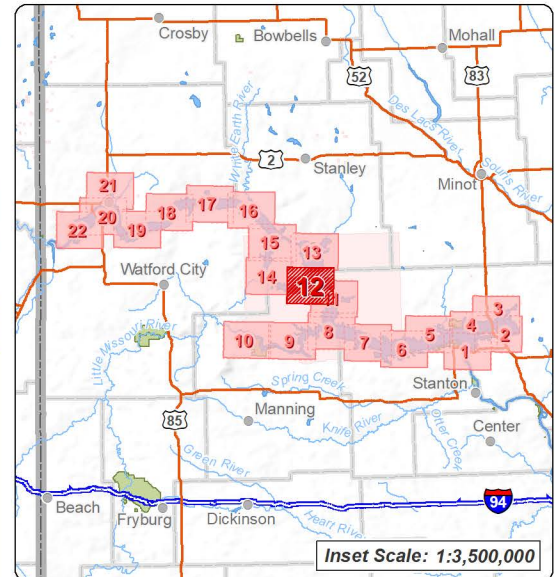
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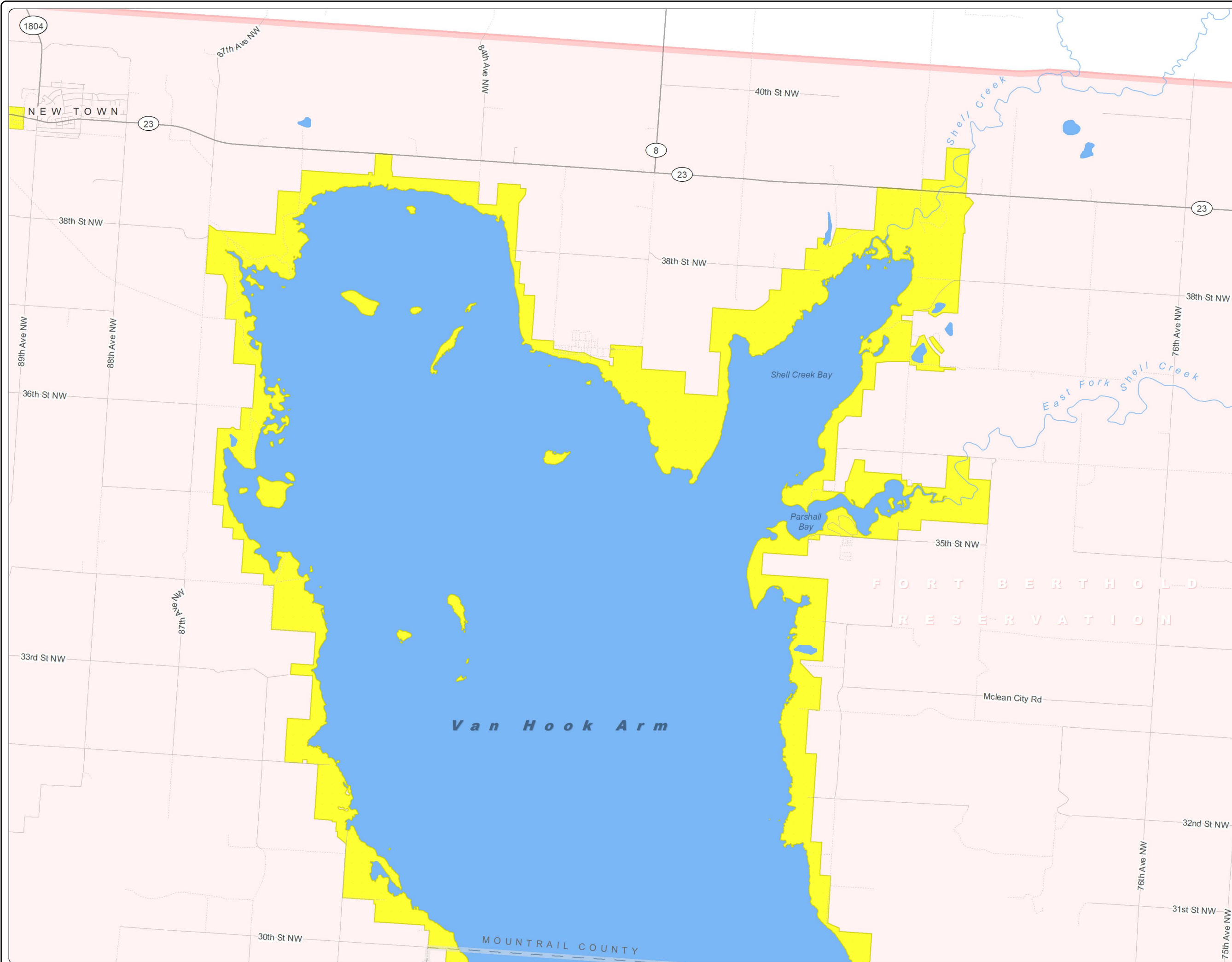


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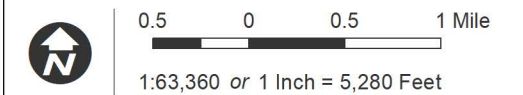


— SHORELINE MANAGEMENT PLAN —

Garrison Dam Lake Sakakawea

— SHORELINE USE CLASSIFICATION —

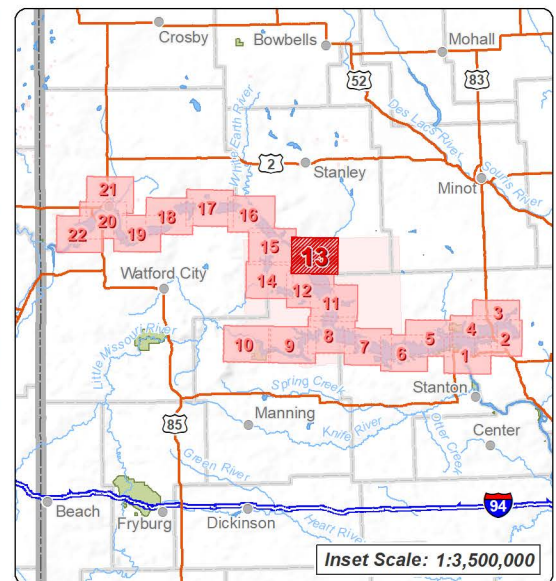
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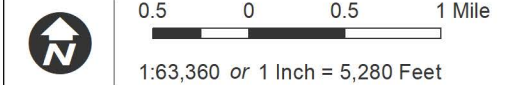
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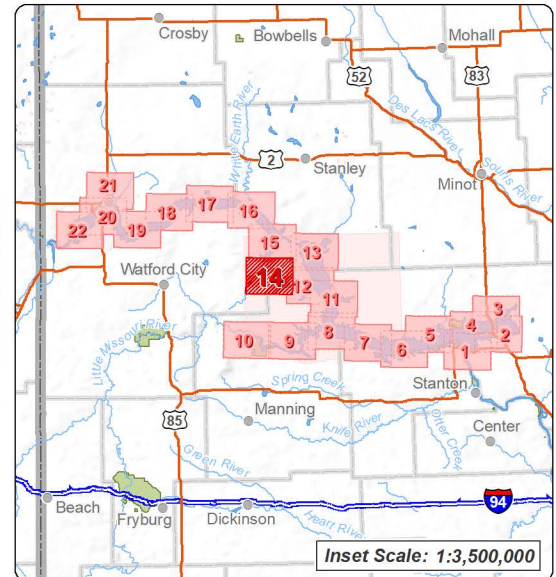
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Author: M. LaMagna Reiter (RE-S) / J. Cowman (ODT-N)
Source(s): USACE, ESRI
Size: Tabloid (11"x 17")

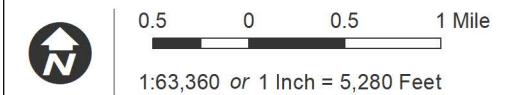
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**08 JAN
2020**

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Garrison Dam Lake Sakakawea

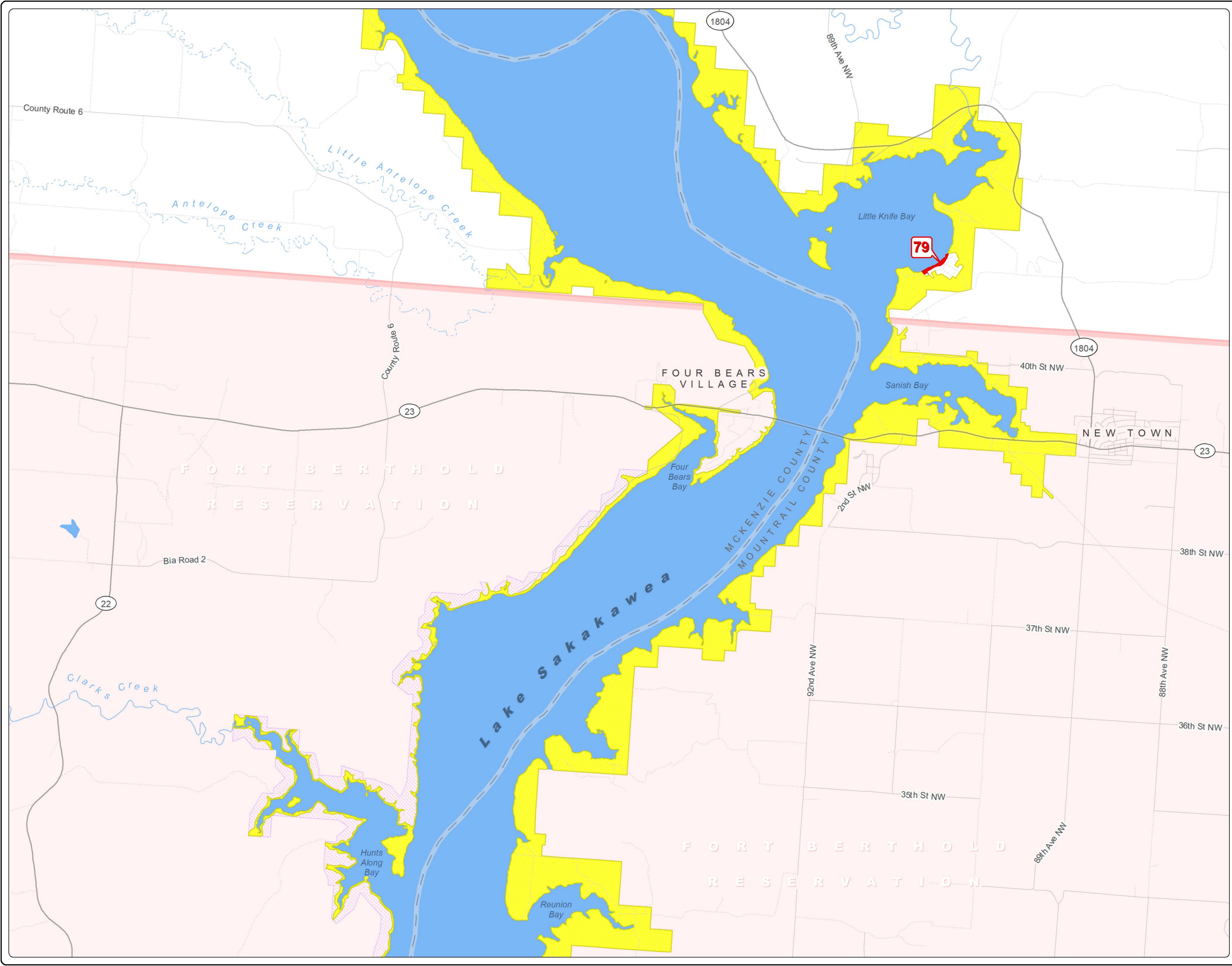
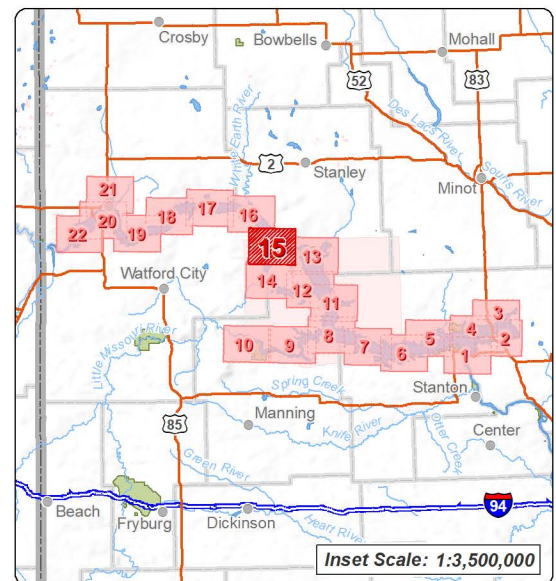
-  Limited Development Area
-  Protected Shoreline Area
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File: ...GA_Shoreline_MPLga_smp_20200108.mxd
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Source(s): USACE, ESRI
Size: Tabloid (11"x 17")

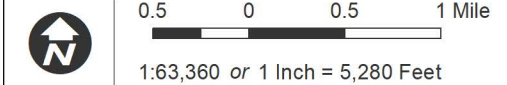
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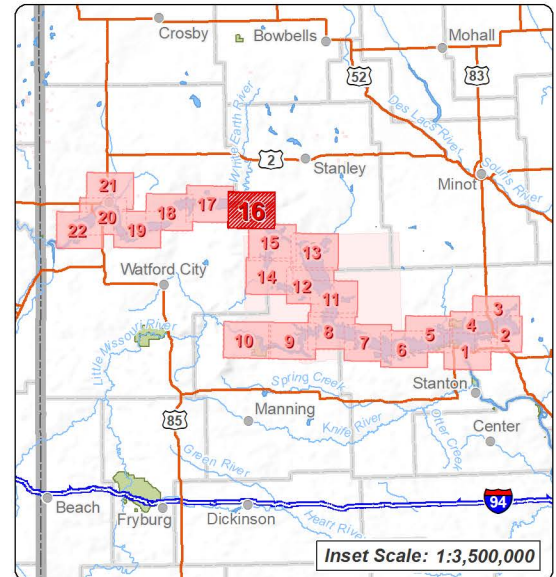
-  Limited Development Area
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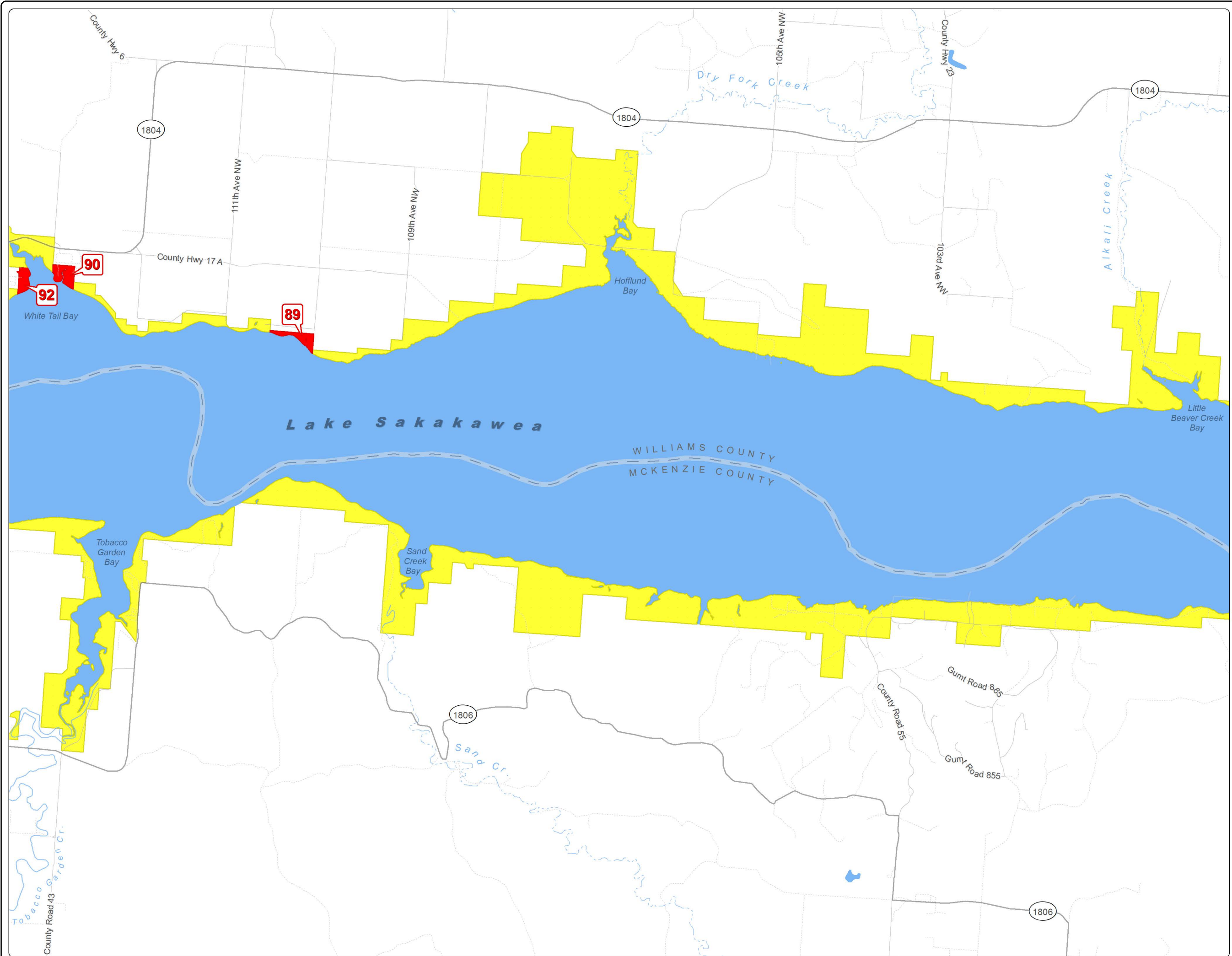


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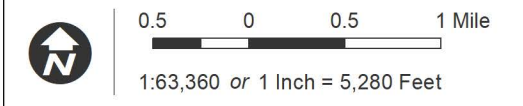
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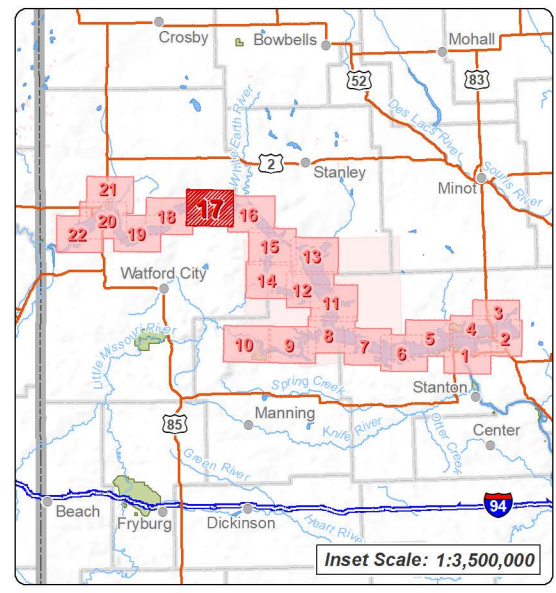
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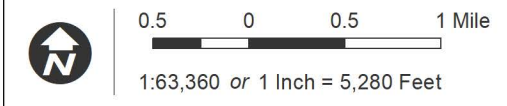
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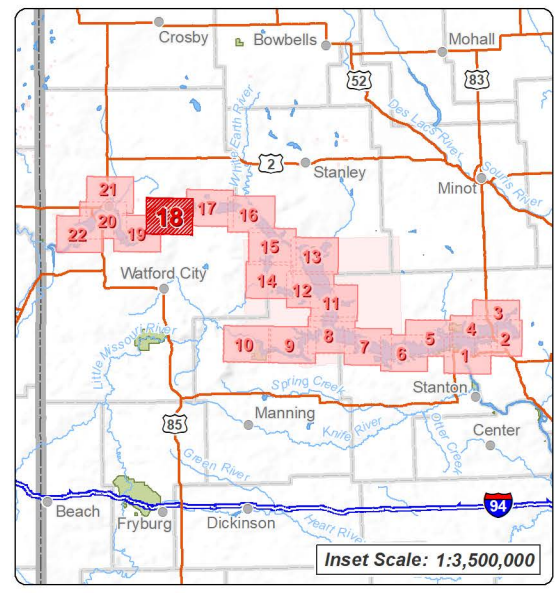
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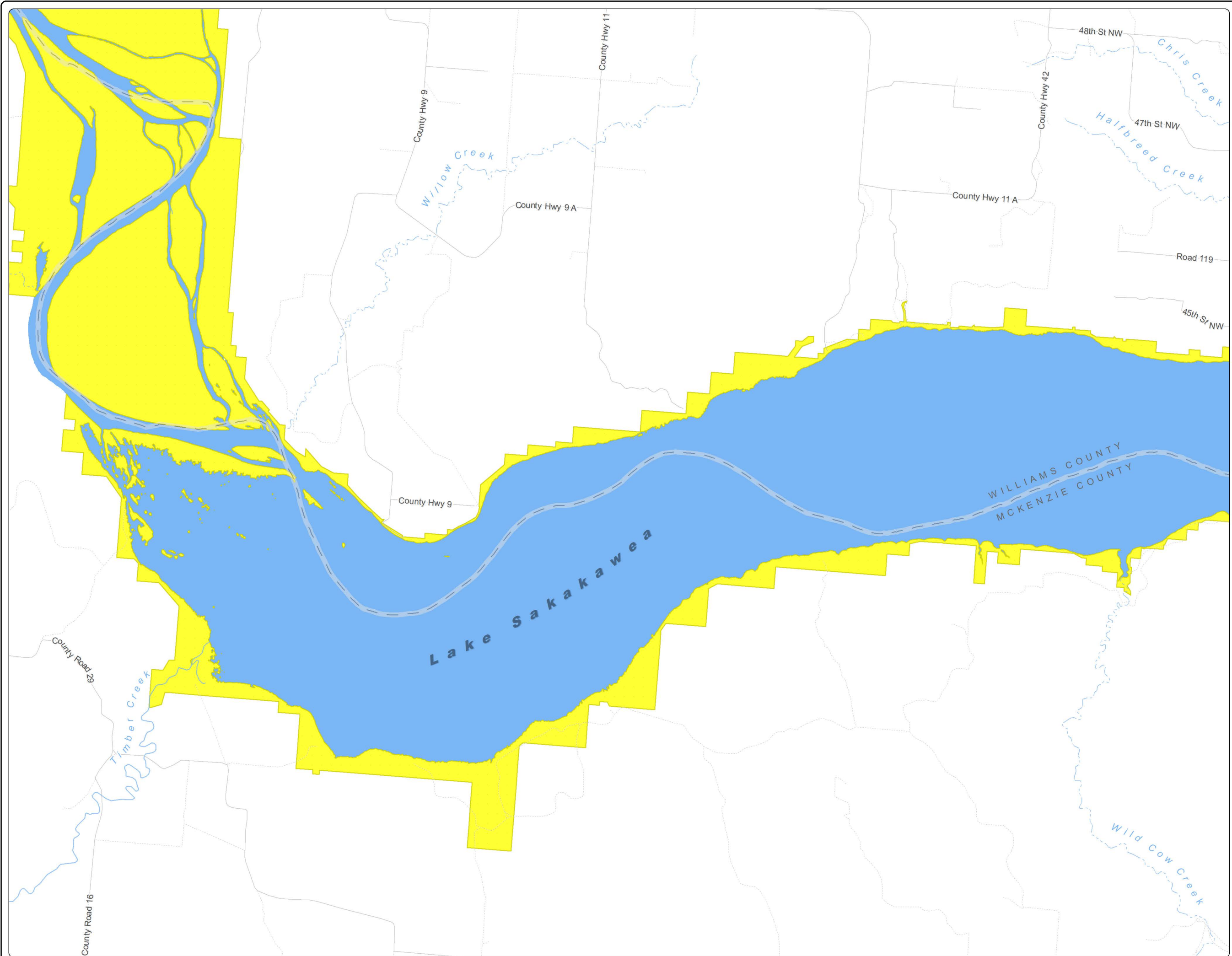


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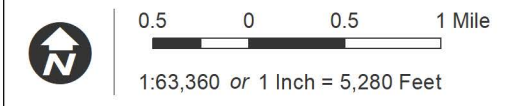
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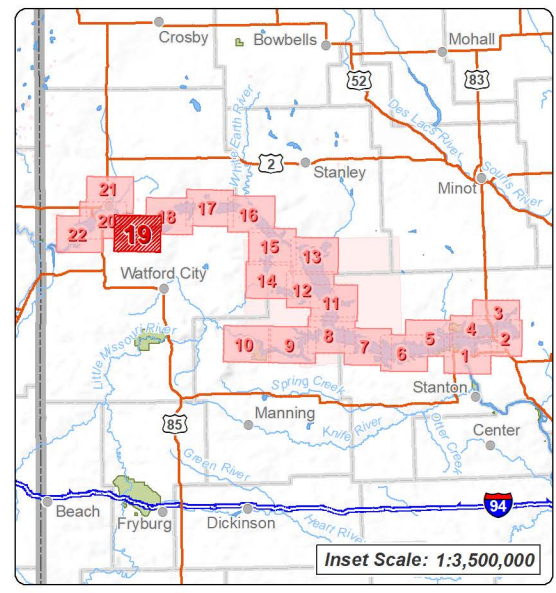
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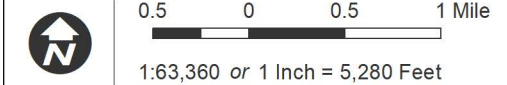
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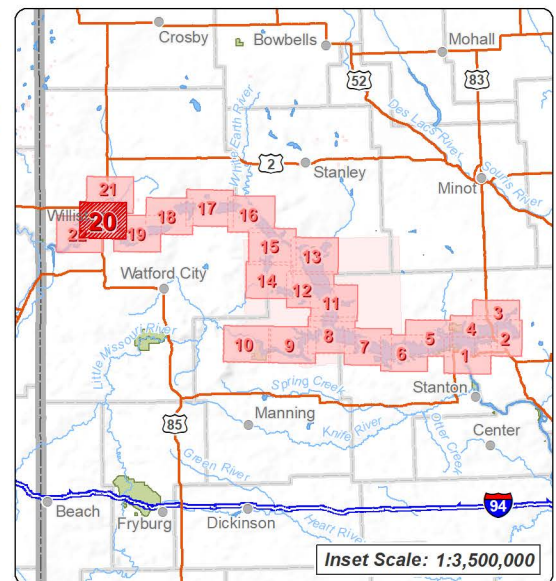
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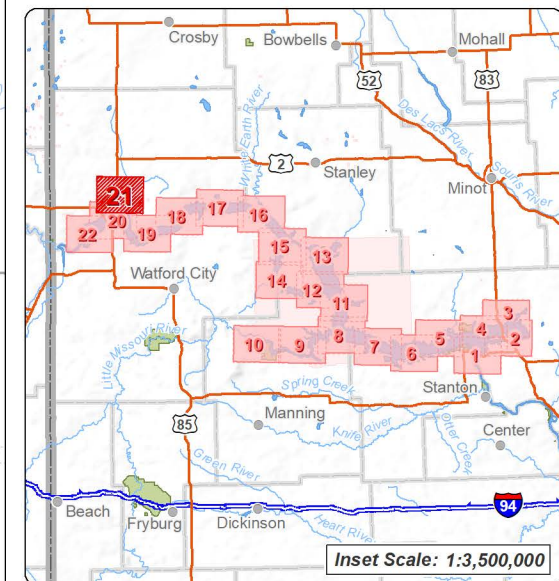


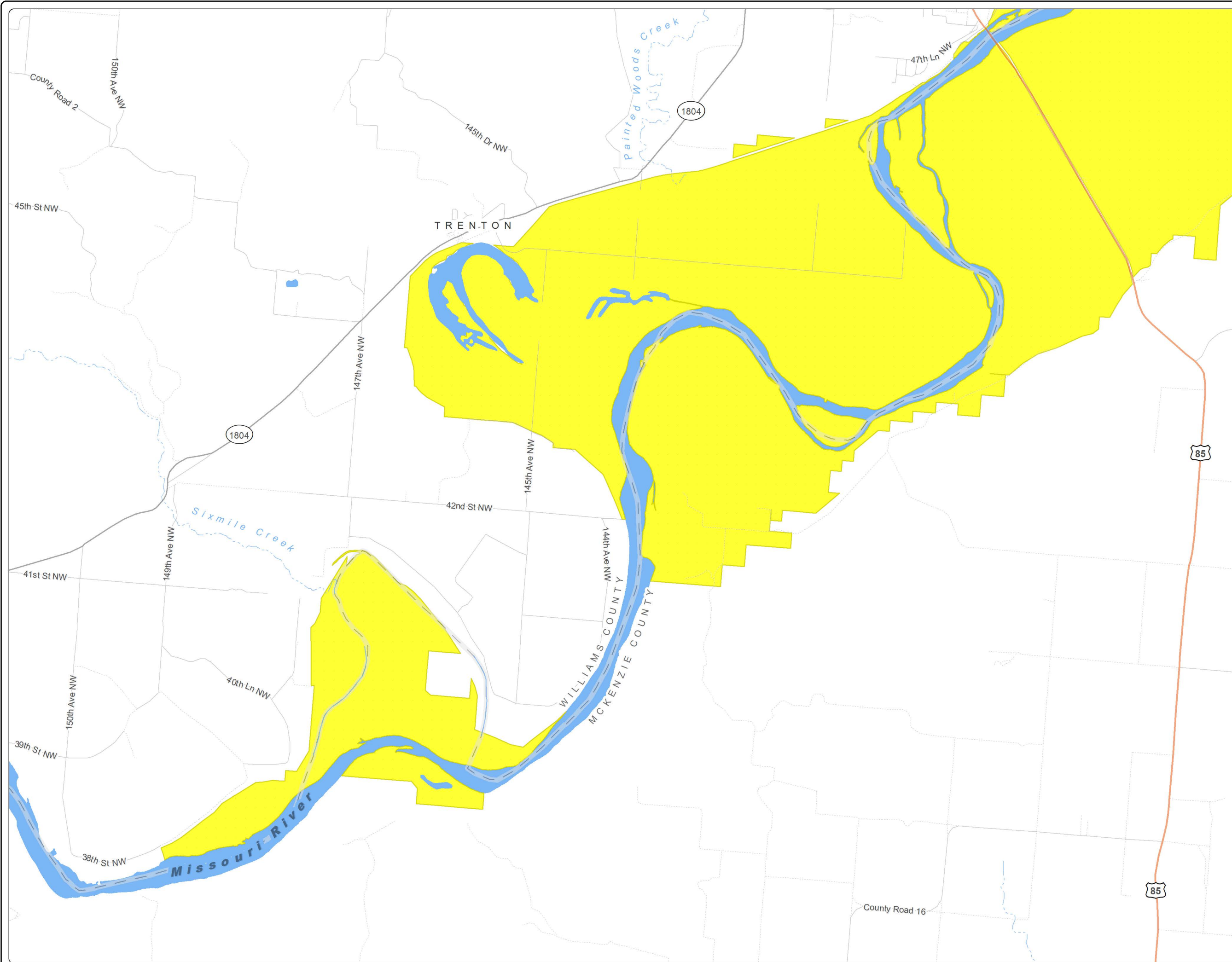
0.5 0 0.5 1 Mile
1:63,360 or 1 Inch = 5,280 Feet

File: ...GA_Shoreline_MP\ga_smp_20200108.mxd
Author: M. LaMagna Reiter (RE-S) / J. Cowman (ODT-N)
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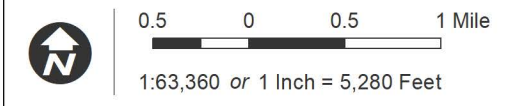
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