

McNary Lakeshore Management Plan

Lake Wallula, Oregon and Washington

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U.S. Army Corps
of Engineers
Walla Walla District

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APPENDIX F: LAKESHORE MANAGEMENT PLAN

SECTION 1 - INTRODUCTION.

1.01 Purpose.

The lakeshore management plan establishes policy and furnishes guidelines for the protection and preservation of the desirable environmental characteristics of the Lake Wallula shoreline. It is intended to manage and protect the shoreline, to preserve its aesthetic quality and natural environmental conditions, and to promote the safe and healthful use of the shoreline for recreational purposes. The plan also considers means of restoring the shoreline where degradation has occurred because of private use.

1.02 Authority.

Authority for administering this policy is granted under Public Laws 86-717 and 87-874 charging the Chief of Engineers with the duty to exercise good conservation practices which promote recreation and to operate and maintain water resource projects in the public interest, respectively. The development and implementation of the plan is in accordance with the following:

- o Section 4, 1944 Flood Control Act, as amended, P.L. 87-874.
- o The Act of 31 August 1951 (31 USC 483a).
- o The National Environmental Policy Act of 1969, P.L. 91-190.
- o The Federal Water Pollution Control Act of 1972 (FWPCA) as amended by the Clean Water Act of 1977.
- o 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."
- o Executive Order 11752, Prevention, Control, and Abatement of Environmental Pollution at Federal Facilities, 19 December 1973.

- o 33 CFR 209.120, "Permits for Work in Navigable Waters or Ocean Waters."
- o ER 1130-2-406, Lakeshore Management at Civil Works Projects, 13 December 1974.

1.03 Applicability.

This plan is applicable to all McNary project lands held in fee simple title by the Corps of Engineers, no matter how far from the line of ordinary high water. Land conveyed for public port or industrial use does not fall under the jurisdiction of this plan since ownership (fee simple title) is not held by the Corps of Engineers.

Activities upon easement lands will continue to be regulated by the original easement restrictions, which generally require Government permission to erect any structure or alter the land contour in any manner. No additional restrictions or requirements will be placed on the use of easement lands as a result of this lakeshore management plan since these lands are not owned by the Corps of Engineers. However, all private floating facilities on Lake Wallula will require a lakeshore use permit.

1.04 Definition of Private Use.

Private use refers to the utilization of public lands or waters by a private individual, group, or organization such that any direct benefit derived is predominately in the interest of that individual, group, or organization, rather than the general public. Private use may occur as an activity such as maintaining a pathway or mowed firebreak, or as spatial use when facilities such as steps or docks are placed upon public lands or waters. Ownership of private land adjoining Government property does not convey any special rights or privileges on public lands and waters.

1.05 History.

On 2 March 1945, McNary Lock and Dam was authorized and approved by the Rivers and Harbors Act of 1945 (P.L. 79-14). Construction of the project began in May 1947 and Lake Wallula was filled on 4 November 1953. Some water-based recreation and private facilities and uses were developed at the project shortly thereafter. As this

trend became more pronounced, permit procedures were adopted. Applicants were required to submit plans and specifications of the proposed facility. If the structural criteria and site location were acceptable, a permit or license for the facility was granted.

1.06 Master Plan.

Upon approval, this plan will become APPENDIX F of the Master Plan for the McNary Project.

1.07 Objectives of the Plan.

The objectives of this plan are to manage and protect the lakeshore, to establish and maintain acceptable fish and wildlife habitat, aesthetic quality and natural environmental conditions, and to promote the safe and healthful use of the lake and shoreline for recreational purposes by all. Experience has shown that management is necessary to prevent the shoreline from becoming congested with private floating facilities and uses, thereby becoming lost for general public use and enjoyment. Management of the lakeshore will provide an opportunity for optimum recreational experiences for the maximum number of people and assure compatibility among the recreating public, the environment, and project resources.

1.08 Preliminary Study.

A study of Lake Wallula for the development of the lakeshore management plan began during the summer of 1977. This involved inspection of the shoreline, review of current problems, assessment of the extent of private use facility development and the potential for future development.

1.09 Public Involvement.

After compilation of preliminary data, a public workshop was held on 18 July 1978 in the Tri-Cities, Washington. Comments were received from the public at the workshop and by mail for 30 days following the workshop. Based on these comments, a questionnaire was prepared and sent to the public for further input. Studies were made in conjunction with the public input in order to address the comments in their proper perspective. Public comments

received relevant to the lakeshore management plan were recorded and used in the preparation of this plan. Other comments received expressed concerns about the operation and maintenance of the McNary Project or suggested revisions and changes to the McNary Master Plan. These comments were studied and answered; responses were prepared and distributed to the public in a separate correspondence.

SECTION 2 - DESCRIPTION OF THE SHORELINE.

2.01 General.

Lake Wallula is located in the Columbia Basin in Oregon and Washington on the main stem of the Columbia River. The reservoir extends 9 miles up the Walla Walla River, 9.7 miles up the Snake River (to Ice Harbor Dam) and 6 miles up the Yakima River. At full pool elevation of 340 MSL (mean sea level), Lake Wallula covers 44,266 acres, has a shoreline of 242 miles and a lake length of 64 miles. Topographically, the lake shoreline lies in two distinctly different types of terrain. The shoreline in the lower 30 miles of the reservoir has little or no river bottom lands and is closely flanked by rugged basalt ledges rising 500 to 1,000 feet above the lake. The geological formations of this area are rugged, impressive and interesting. Upstream, the shoreline lands have a more gradual contour. This is particularly so on the east bank around the Burbank Slough area and in the lower reaches of the Walla Walla River. The 17 miles of levees at Pasco, Kennewick, and Richland have altered the shoreline in the Tri-Cities area.

2.02 Adjacent Off-Project Development.

Extensive residential, commercial and industrial development has occurred on adjacent off-project lands in Pasco, Kennewick and Richland. Moderate residential development adjacent to McNary project lands exists in the vicinity of Burbank, Finley, Hat Rock State Park and McNary Townsite. Other adjacent private lands are used primarily for agricultural purposes.

2.03 Present Land Use.

The McNary Project contains 11,466 acres of land lying above full pool (340 MSL), of which 9,607 acres are owned in fee while 1,859 acres are managed as flowage easements. Of the fee-owned land above full pool, 1,953 acres are allocated for project operations. The remaining 7,654 acres of fee lands above full pool are allocated for either industrial use and access, recreation, natural areas, or fish and wildlife management.

2.04 Existing Access.

There are 18 sites on project lands that have

developed recreation facilities; 10 of these are leased to other public agencies for operation and maintenance. There are 20 public boat launching ramps on the project and three public marinas on the lake; they are Metz Marina, Columbia Park Marina, and Water World Marina. Metz Marina is not located on project land, while Columbia Park Marina has no moorage facilities and Water World Marina is located at Pasco Boat Basin. There are four yacht clubs on Lake Wallula but only two, McNary Yacht Club and Walla Walla Yacht Club, are located on project lands (SECTION 9).

2.05 Cooperative Agreement - Federal.

The U.S. Fish and Wildlife Service has a perpetual cooperative agreement with the Corps of Engineers to use 3,030 acres of land and water area for the development, conservation, and management of wildlife resources. This area is known as the McNary Wildlife Refuge.

2.06 Outgrants - State.

The Corps of Engineers currently has three 25-year licenses to the Washington Department of Game; they cover 5,604 acres of land and water known as McNary Wildlife Recreation Area, 1,959 acres of land and water at the mouth of the Walla Walla River, and 646 acres of land and water at Yellepit. These three areas are managed by this agency for fish and wildlife.

The State of Washington Parks and Recreation Commission has leased 263 acres of land and water area for public park and recreation purposes, as part of Sacajawea State Park.

The State of Oregon has a 25-year lease on 220 acres of land and water which is part of Hat Rock State Park.

2.07 Public Park Leases - County.

Franklin County has a 50-year lease with the Corps of Engineers to use 180.75 acres of land for public park and recreation purposes. This area includes Chiawana Park and Riverhaven.

Benton County has a 37-year lease with the Corps of Engineers to use a total of 1,204.6 acres of land and water areas at three different locations for public parks and recreation purposes. These areas are known as Columbia Park (including Bateman Island), Two Rivers Park, and Hover.

2.08 Public Park Leases - Municipal.

The City of Pasco has a 25-year lease with the Corps of Engineers to use 10 acres of land and water area for public park and recreation purposes. This area is known as the Pasco Boat Basin.

The City of Richland has a 50-year lease with the Corps of Engineers to use 521.4 acres of land for public park and recreation purposes. This area includes Leslie Groves Park, the shoreline of Howard Amon Park, Richland Wye Park, and the Yakima Delta.

SECTION 3 - LAKESHORE ALLOCATION.

3.01 General.

Development of adjoining private land increases the demand for private floating facilities; therefore, it is readily apparent that a plan for systematic development of the shoreline is essential. This approach is intended to permit the limited development of private floating facilities while assuring maximum benefits to the general public, protecting the shoreline from degradation, maintaining acceptable fish and wildlife habitat and natural environmental conditions.

3.02 Allocations.

A comprehensive study of the entire fee lakeshore, involving public participation, resulted in development of the lakeshore management plan for Lake Wallula which establishes the following shoreline allocations (see Plates 1-6):

a. Limited Development Areas.

Limited development areas are those areas where private use privileges and facilities may be permitted. In no case will the density of floating facilities exceed 50 percent of the shoreline allocated for limited development when the lake level is at elevation 340 MSL. For this purpose, 50 percent of the shoreline means that 75 feet of adjacent open shoreline will be required for every dock unit. Docks must be spaced at least 75 feet apart measured on a straight line, edge to edge.

b. Public Recreation Areas.

Public recreation areas are those areas within, adjacent to, or in close proximity to designated public parks or developed and undeveloped recreation areas. Commercial concession facilities are permitted in these areas, but new private floating facilities are not permitted in an effort to encourage the use of public launching ramps and commercial marinas. The alteration or modification of vegetation by individuals is not usually permitted, but may be allowed in those areas where extensive vegetative modification currently exists.

c. Protected Lakeshore Areas.

Protected lakeshore areas are designated primarily to protect aesthetic, environmental, and fish and

wildlife values. Lakeshores may also be designated in this category for physical protection reasons, such as heavy siltation, rapid dewatering, or exposure to high winds and currents. Private floating facilities are not permitted in protected lakeshore areas. Permits for vegetative modification will not be issued in these areas because of the deleterious effects such action would have on the environmental and physical characteristics of the area. Unless posted otherwise, land access to these areas and boating along the shoreline are permitted within protected lakeshore areas as long as aesthetic, environmental, and natural resource values are not damaged or destroyed.

d. Prohibited Access Areas.

These areas are so designated for the protection of ecosystems, the physical safety of the recreating public, the maintenance, operation, and protection of project structures (i.e., levees, dam, navigation lock, and powerhouse), or for the protection of areas leased for industrial development. Private facilities and modification of vegetative communities are not permitted in these areas.

NOTE: Easement Lands. In locations where the Corps of Engineers holds only a flowage easement on the shoreline of Lake Wallula, the thin strip of color (red or yellow) along the shoreline on Plates 1 - 6 is meant to designate whether or not private floating facilities will be permitted in these areas. This designation is not intended to represent any attempt by the Corps of Engineers to control easement lands through the lakeshore use permit.

3.03 Shoreline Allocation Master Map.

A master map of the shoreline is on display at the office of the Resource Manager at McNary Dam and at Ice Harbor Dam.

NOTE: Levees. Portions of levees in Pasco and Richland are under lease to Franklin County and the City of Richland, respectively. Although not indicated on Plate 5 these leased areas are allocated as public recreation areas.

SECTION 4 - PERMITS.

All vegetative modification activities and all facilities located on public lands and waters administered by the Corps of Engineers must be covered by a lakeshore use permit, Department of the Army permit, or real estate instrument. The following sections describe what these instruments are issued for and where to obtain them.

4.01 Lakeshore Use Permits.

All new private floating recreation facilities on Lake Wallula and all new vegetative modifications and alterations on McNary project lands held in fee simple title require a lakeshore use permit. Such structures and activities will only be allowed under a real estate instrument to honor past commitments. Lakeshore use permits are nontransferable. Upon sale, lease or other transfer of the permitted facility or death of the permittee, the permit is null and void. In the case where a husband or wife dies and his or her name appears on the permit, the permit will still be honored as long as the two were living together at the time of death.

Applications for and information concerning lakeshore use permits on the lower section of the McNary Project below the Wallula townsite may be obtained from the Resource Manager at the McNary Project Office (P.O. Box 1441, Umatilla, OR 97882, telephone: (503)922-3211). For permit applications and information on the upper section of the project contact the Resource Manager at the Ice Harbor Project Office (P.O. Box 2427, Tri-Cities, WA 99302, telephone: (509)547-7781).

4.02 Department of the Army Permits.

Activities such as dredging, construction of fixed structures (including combination fixed-floating structures), and the discharge of dredged or fill material in navigation waters require either a Section 10 and/or a Section 404 permit. These permits are issued at the Walla Walla District Office, Natural Resource and Regulatory Programs Branch, Regulatory Functions Section. Lakeshore use permits can not be issued for these structures and activities.

Section 10 and Section 404 permits are issued under the authority of Section 10, River and Harbor Act of 3 March 1899 (33 USC 403) and Section 404, Federal Water Pollution Control Act (33 USC 1344), respectively.

4.03 Real Estate Instruments.

All activities which are not covered by lakeshore use permits, and Section 10 and Section 404 permits require a lease, license, or easement. This includes facilities such as roads, powerlines, pipelines, stairways, steps, footbridges, surfaced walkways, and erosion control devices. Real estate instruments are issued at the Walla Walla District Office, Real Estate Division. A fee is assessed compatible with the fair market value as determined by Real Estate Division.

Real estate instruments will not be issued for any structures or vegetative modifications or alterations that are prohibited by the lakeshore management plan (i.e.; planting and maintenance of gardens).

SECTION 5 - PRIVATE FLOATING FACILITIES.

5.01 Policy.

It is the policy of the Corps of Engineers to encourage boat owners to moor their boats at commercial public marinas, utilize dry storage facilities off project lands, or trailer their boats to public launching ramps which are provided at no charge.

After consideration of these alternatives, private floating boat moorage facilities will be permitted in limited development areas. Community moorage facilities are encouraged in these areas, where practical, to reduce the proliferation of individual facilities.

5.02 Moorage Facilities.

In limited development areas where private floating boat docks are allowed, community moorage facilities will be given priority. The size of community moorage facilities will be limited to groups of at least two, but not more than six individual dock units. Individual dock units shall be kept to the minimum size needed to satisfactorily moor the owner's boats, and may be permitted to a maximum size of two slips.

a. Density of Development and Dock Spacing.

A minimum of 75 feet of adjacent open shoreline will be required for every individual dock unit whether or not they are joined in a community facility. The minimum spacing between any two facilities will be determined by adding together the number of individual dock units in both facilities and multiplying by 37.5 feet. For example, two single docks would have to be 75 feet apart, whereas a six-unit community dock would have to be 262.5 feet away from an adjacent single dock or 450 feet away from an adjacent six-unit community dock.

b. Issuance of Permits for Community Facilities.

It is the policy to issue only one permit for a community moorage facility with one person designated as the permittee and responsible for all moorage spaces of the facility. If, for extenuating circumstances, this approach is not feasible, the District Engineer is authorized to grant individual permits for single sections of the community moorage facility.

5.03 Applications.

All residents of the United States have an equal opportunity to moorage privileges in limited development areas provided that the area is not over 50 percent developed and the applicant has ready access to the area.

Applications will be accepted at the appropriate project office (SECTION 4.01) upon publication of this plan. All applications must be accompanied by plans and specifications. These documents shall include structural design drawings, a description of anchorage methods, construction material, size, location, owner's address and telephone number, and the expected duration of use. In addition, the permittee shall indicate on the application whether or not he or she is willing to permit other entitled parties to attach their dock to the applicant's to form a community moorage facility.

Permit applications must also identify any land-based support facilities (i.e., stairways, steps, walkways, etc.) which may require a real estate instrument.

Applications from individuals who have outstanding encroachments on public shoreline lands administered by the Corps of Engineers will not be approved until the encroachment has been resolved.

5.04 Facility Construction.

No private floating facilities will be permitted on Lake Wallula until the owner has been issued a valid lakeshore use permit. The construction of the facility must be in accordance with the approved plans and specifications and completed within one year of the permit issuance date. No work may be done other than that specified in the permit application. If construction is not completed within one year, the permit will become null and void.

In the event that the facility does not meet the following minimum required standards (SECTION 5.05), work will be promptly halted until these standards are met. If the necessary modifications are not made within 30 days, the permit will be terminated and the structure must be removed by the owner (SECTION 5.08).

5.05 Basic Minimum Construction Requirements.

All private boat docks whether individual or community moorage facilities, must meet the following basic minimum construction requirements:

a. Docks shall be no larger than the minimum size necessary to moor the boat for which it is intended.

b. Docks shall be of a basic rectangular, tee, or U-shape, such that additional slips may be added to form community facilities. For stability, each section of dock will be no more than twice as long as it is wide, and U-shape slip docks will be braced. Roof structures will not be allowed.

c. Walkway portions will be straight and at least 32 inches and not more than 48 inches in width.

d. Framing will consist of 2x6-inch lumber or its equivalent strength.

e. Docks, if painted, will be painted earth tones (i.e., light greens and tans) to blend with the environment.

f. Floatation devices must consist of a material that will not become waterlogged, nor sink if punctured. Logs and hollow drums of any type are not acceptable.

g. Electric lines, lights, or outlets will not be permitted upon docks.

h. No signs will be erected upon docks. The words "private dock" may be painted on the upper surface of the dock walkways.

i. Each section of community docks shall be identified, by name or number corresponding to that upon the lakeshore use permit application, to facilitate compliance inspections and aid in identification in the event of storm damage fragmenting the community arrangement.

j. Vegetation, living or dead, will at no time be used to anchor a dock. Anchorage methods will not obstruct the free use of the shoreline.

k. Each permittee will post two permit tags on the permitted facility. These tags will be provided by

the project office. The tags will be displayed so that they can be visually checked from the shore or from a boat.

l. It is expected that docks will be maintained in a high state of repair at all times. In the event that a dock is removed from the water for any reason, it shall not be stored on Government land at any time.

m. Private floating recreation facilities will be placed so as not to interfere with navigation.

5.06 Conditions for Lakeshore Use Permit.

In addition to the basic minimum construction requirements listed in SECTION 5.05, all permittees are required to comply with the conditions of the lakeshore use permit (EXHIBIT B).

5.07 Facility Maintenance.

All private floating facilities must be operated and maintained in accordance with the basic minimum construction requirements (SECTION 5.05) and the conditions of the lakeshore use permit (EXHIBIT B). Failure to do so will result in the termination of the permit if the facility is not brought up to standards within three (3) months. No deviations or changes from the approved plans and specifications will be permitted without prior written approval of the Resource Manager from the appropriate project office (SECTION 4.01).

5.08 Permit Termination.

Permits for private floating facilities may be terminated for the following reasons:

- o Failure to construct, operate, and maintain the facility in accordance with approved plans and specifications.
- o Deviation from approved plans and specifications.
- o Failure to meet the basic minimum construction requirements or comply with the conditions of the lakeshore use permit.

- o The death of the permittee.
- o The sale or lease of the permitted facility.
- o The public interest necessitates termination of the permit.
- o Imminent recreation development in public recreation areas.

Upon termination or expiration of a lakeshore use permit, the structure must be removed by the owner. If not removed within three (3) months the structure will be impounded and removed by Corps of Engineers personnel. Impoundment procedures will be carried out in accordance with current regulations.

5.09 Administrative Charge for Issuance of a Dock Permit.

An administrative charge of ten dollars (\$10.00) will be made for issuance of the permit and an initial inspection of the dock. An additional annual inspection fee of five dollars (\$5.00) for each additional year in the term of the permit will also be charged. Boat dock permits will be issued for a five-year period and would thus cost \$30.00, to be paid at the time of issuing the permit. The prepaid inspection fees will not be transferable upon sale of the dock and issuance of a new permit. In the event of permit termination, the fee charged for future inspections will not be refunded.

SECTION 6 - IMPLEMENTATION OF THE PLAN FOR BOAT DOCKS.

6.01 Existing Permitted Docks.

a. In Limited Development Areas.

Permits for existing private floating facilities located in limited development areas will be renewed when the current permit expires, provided that the facility complies with the basic minimum construction requirements (SECTION 5.05) and the conditions of the lakeshore use permit (EXHIBIT B).

b. In Public Recreation Areas.

Existing permitted private docks located in designated public recreation areas will be permitted to remain until the death of the permittee, the sale or cessation of use of the dock, or until the area is needed for recreation development. Permits for private floating facilities in leased public parks will be renewed only with the approval of the managing agency. No major repairs, replacement, or expansion of the permitted facility will be allowed in these areas. These facilities must comply with the basic minimum construction requirements (SECTION 5.05) and the conditions of the lakeshore use permit (EXHIBIT B).

Should the dock permit be terminated because of the need for major repairs or replacement, the death of the permittee, or the sale or cessation of use of the dock, the facility must be removed from the lake by the owner or relocated under a new permit to a limited development area within three (3) months. In the event that a dock permit is terminated because of imminent recreation development, the permittee will be given one year to remove the dock or relocate it to a limited development area.

c. In Protected Lakeshore and Prohibited Access Areas.

Existing permitted private docks located in protected lakeshore and prohibited access areas will be permitted to remain until the death of the permittee or the sale or cessation of use of the dock. No major repair, replacement or expansion of the permitted facility will be allowed in these areas. These facilities must comply with the basic minimum construction requirements (SECTION 5.05) and conditions of the lakeshore use permit (EXHIBIT B). Should the dock permit be terminated because of the need for major repairs or replacement, the death of the permittee, or the sale or cessation of use of the dock, the facility must be removed from the lake by the owner or relocated under a

new permit to a limited development area within three (3) months.

6.02 New Permit Applications.

New applications for private boat dock permits in limited development areas will be processed with priority given to permit applications for community mooring facilities. No new applications will be approved for boat dock permits in public recreation, protected lakeshore, and prohibited access areas.

Permits will be issued if space is available provided that the permittee has ready access to the area and the facility meets the basic minimum construction requirements (SECTION 5.05) and the conditions of the lakeshore use permit (EXHIBIT B). When the density of moorage development reaches 50 percent of the shoreline allocated as limited development areas, (SECTION 3.02-a.), permits for new private floating facilities will not be issued nor will existing facilities be permitted to expand until a current permit becomes void. At such time, all applications by the public will be considered in an impartial manner.

SECTION 7 - IMPLEMENTATION OF THE PLAN FOR
VEGETATIVE MODIFICATION.

7.01 General.

It is the policy of the Corps of Engineers to preserve, protect, and restore the natural environmental shoreline characteristics. All new activities which involve modifications or alterations to the existing vegetative community require a lakeshore use permit. New permits will be issued only for certain forms of vegetative modification which do not in any way involve a disruption to or a change in land form (SECTION 7.03).

In instances where the Government taking line is not clear, the Corps of Engineers may establish a vegetative line of trees and shrubs or a fence on the property line to delineate private from public property.

7.02 Existing Authorized Vegetative Modification.

All existing landscaping performed under real estate licenses will be honored at the present level of development. In accordance with these licenses, any modifications or additions to the authorized activities must have the prior written approval of the District Engineer. All new requests for modifications or additions to the authorized activities will be reviewed and approved under the guidance of the policy established in this plan. No new activities will be allowed except those which may be permitted under a lakeshore use permit (SECTION 7.03).

7.03 New Permit Applications.

Permit applications for new vegetative modification activities will be considered only in limited development areas and portions of public recreation areas where extensive vegetative modification by adjacent landowners currently exists. In the latter case, concurrence of the managing agency will be required.

a. Permitted Activities.

The following activities may be permitted under new permits.

1. The planting and maintenance of areas of lawn grass including associated underground irrigation systems.

2. Mowing to reduce the fire danger.

3. Maintenance activities to enhance shoreline aesthetics.

4. Unsurfaced access trails to the shoreline. These trails must be not more than four feet in width and must follow a meandering route to prevent erosion and avoid the removal of trees and shrubs. These walkways will be designed to provide a common pathway to serve as many individual interests in the immediate vicinity as possible and may be covered with crushed stone, wood chips, stepping stones, or other readily removable material. (NOTE: Access trails will not be permitted in public recreation areas.)

5. Burning of vegetative debris originating on Corps land. Burning must be performed in accordance with local burning regulations in such a manner as to not endanger any other project lands, features, or vegetation. The specific locations of any burning must be approved in advance by the resource manager on each occasion of burning.

b. Unpermitted Activities.

The following activities will not be permitted under new permits:

1. Planting and maintenance of gardens.
2. Burning of standing live vegetation.
3. Disposal or storage of debris, refuse, or any other material.
4. Application of pesticides.
5. Modification of existing land contours.
6. Placement of any lawn or beach equipment or other personal property.
7. Construction of any structures.
8. Activities that might affect the environmental and physical characteristics of the shoreline (i.e., the removal of existing riparian vegetation).

Applications will be accepted at the appropriate project office (SECTION 4.01) upon publication of this plan. All applications must include a detailed description of the work planned and the purpose of the work. Applications from individuals who have outstanding encroachments on public shoreline lands administered by the Corps of Engineers will not be approved until the encroachment has been resolved.

7.04 Vegetative Modification Permit Fee.

All new permits will be issued for a maximum 5-year period and will be subject to an administrative charge of \$10.00 for the entire period. In the event of permit termination, the fee charged will not be refunded.

SECTION 8 - OTHER LAKESHORE USES.

8.01 Unauthorized Structures and Activities.

All private facilities and activities on public lands administered by the Corps of Engineers must be covered by a permit, lease, license, easement, or other legal instrument. Facilities not covered by a legal instrument will be considered unauthorized structures and subject to removal in accordance with Part 327.20, Title 36, CODE OF FEDERAL REGULATIONS (CFR). In addition, the owner of the unauthorized structure may be cited before the U.S. Magistrate for violation of the same CFR. No private facility will be allowed on Lake Wallula until the owner has a valid instrument in his possession.

Vegetative modification activities on fee simple lands not covered under a legal instrument are in violation of Part 327.14, Title 36, CFR. Violators of this regulation which prohibits the destruction, injury, defacement, removal, or alteration of public property including natural formations and vegetative growth will be subject to citation.

8.02 Launching Ramps, Rails, and Tracks.

Rails, tracks, mats, ramps or any other similar structures for launching boats from adjacent private land or Government land will not be allowed under a Lakeshore Use or Section 10 Permit or real estate instrument. Modification and alteration of land contours to provide for boat launching will not be permitted. Only such existing structures and modifications of land contours performed under current permit or instrument will be honored at the authorized level of development.

8.03 Docks Requiring Piling.

Docks requiring pilings will not be allowed under any permit or real estate instrument. Only such existing docks currently under permit or instrument will be honored.

8.04 Activities Which May Be Permitted Under Real Estate Instruments.

- a. Stairways, Steps and Footbridges.
Stairways, steps or footbridges are not

permitted under a lakeshore use permit but may be allowed under special circumstances with a real estate instrument. They shall be designed so as to minimize the impact on the environment. These facilities will be designed to provide a common pathway to serve as many individual interests in the immediate vicinity as possible. Building materials shall be metal, wood, stone or similar material that can be removed if required. Massive placed concrete or mortared stone, block or brick structures will not be allowed. In the event that such masonry structures are currently in place and covered by a license, they may be allowed to remain in place. All structures, if painted, will be painted earth tones (i.e., light greens and tans) so that they will blend into the natural background. All structures constructed of a floatable material shall be firmly anchored in place. Trees shall not be used as anchoring devices.

b. Hard-Surfaced Walkways.

Asphalt or concrete walkways for use by handicapped persons may be allowed under a real estate instrument.

c. Erosion Control Devices.

Erosion control devices are allowed where bank erosion is causing a problem or endangering adjacent private facilities. The erosion control structure may be of a riprap type, wooden, poured concrete, or masonry. No other types of material shall be allowed for use. A real estate instrument is required for such structures.

d. Application Procedures for Real Estate Instruments.

Applications for real estate instruments on the lower section of the McNary Project below the Wallula townsite may be made through the Resource Manager at the McNary Project Office (P.O. Box 1441, Umatilla, OR 97882, Telephone: (503)922-3211). For real estate instruments on the upper section of the project, apply through the Resource Manager at the Ice Harbor Project Office (P.O. Box 2427, Tri-Cities, WA 99302, Telephone: (509)547-7781). Real estate instruments are issued by the Real Estate Division of the Corps, Walla Walla District Office.

8.05 Private Irrigation Systems.

Private irrigation systems for residential use which cross Government land may only be located in limited development areas as shown on the Area Allocation Maps (Plates 1-6). These systems require:

- o a Section 10 permit from the Corps of Engineers, Walla Walla District Office, Regulatory Functions Section,
- o an easement from the Corps of Engineers, Walla Walla District Office, Real Estate Division,
- o a water right from the Washington State Department of Ecology, and
- o a Washington State hydraulic approval issued by the Departments of Game and Fisheries.

No requirements for Oregon are listed since there is only one limited development area in Oregon, McNary Yacht Club, which is leased to the club.

SECTION 9 - YACHT CLUB FACILITIES.

Yacht club sites will be allowed in limited development areas only. The permission and authority for use of public shoreline lands for yacht club activities will be under the conditions of existing Corps of Engineers instruments.

Yacht club facilities located in limited development areas will continue within the conditions of the existing lease. Existing yacht club facilities located in areas other than limited development areas will continue within their present lease arrangements. However, requests for new yacht club sites in other than limited development areas will not be allowed under this plan.

All yacht club construction activities in the waters of Lake Wallula including expansion of existing facilities will be allowed by conditions issued under authority of Section 10, River and Harbor Act of 3 March 1899 (33 USC 403) and Section 404, Federal Water Pollution Control Act (33 USC 1344). Approval under these statutes must be obtained prior to the start of any construction.

SECTION 10 - RECREATIONAL WASTE MANAGEMENT SYSTEMS.

These systems on Federally-owned lakeshore areas consist of portable and stationary vault toilets, waterborne toilets and showers, and sanitary trailer dump stations. Vault toilets are located mainly at the smaller, more remote public access and boat ramp areas while the more developed parks have the waterborne types. Showers are located at Hat Rock State Park, McNary Beach, Hood Park and Columbia Park and trailer dump stations are located at Madame Dorion Park, Hood Park, and Columbia Park. The vault toilets are pumped under contract; the waste is disposed off project lands. Waterborne toilets and showers have septic tanks and drainage fields on site. Marine pump-out stations are being considered for installation at privately operated public marinas on Lake Wallula. All solid waste is disposed off project lands under contract with commercial enterprises.

SECTION 11 - SANITARY SEWAGE SYSTEMS.

There are no sewage disposal plants located on Federally-owned lakeshore areas. Several municipal plants exist off project lands which have National Pollutant Discharge Elimination System (NPDES) permits for point discharge of treated effluent into Lake Wallula. In addition, there are several NPDES permits in effect for point discharge of treated industrial wastes and for irrigation return flows into Lake Wallula.

SECTION 12 - CONCLUSIONS AND RECOMMENDATIONS.

12.01 Conclusions.

The lakeshore management plan presented in this appendix is considered to provide the greatest recreational benefit to all the public and to balance bona fide recreational needs against the physical limitations and aesthetic qualities of the lake and surrounding lands. The plan has taken into consideration both the present and anticipated recreational needs of the area.

12.02 Recommendations.

The lakeshore management plan presented in this appendix is a flexible and working document. The Resource Manager and Rangers will continually monitor the needs of the recreational users of the lake and recommend revisions that will minimize conflicts between various interests. Minor changes in area limits or allocations of areas will continue to be approved by the District Engineer and reported to the Division Engineer. Additional public meetings will be held in advance of recommending any major revision to this plan. The plan will be completely reevaluated and submitted for approval every five years from the date of approval of this plan.

EXHIBIT B - CONDITIONS OF LAKESHORE USE PERMIT

1. This permit is granted solely for the purpose described by the permittee in the Application for Lakeshore Use.
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 the permitted facility, growing out of the ownership, construction, operation or maintenance by the permittee of the permitted facilities.
3. The ownership, construction, operation or maintenance of the permitted facility is 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 navigable waters at or adjacent to the permitted facility or to unreasonably interfere with navigation in connection with the ownership, construction, operation or maintenance of the permitted facility.
5. The permittee agrees that if subsequent operations by the Government require an alteration in the location of the permitted facility or if in the opinion of the District Engineer the permitted facility shall cause unreasonable obstruction to navigation or that the public interest so requires the permittee shall be required, upon written notice from the District Engineer 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 the permitted facility which may be caused by or result from subsequent operations undertaken by the Government for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage.
7. The ownership, construction, operation and maintenance of the permitted facility is subject to all applicable Federal, State and local laws and regulations.
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 or maintenance of the permitted facility.

9. The permittee shall comply promptly with any lawful regulations or instructions of any Federal, State or local agency of the Government.

10. The permittee agrees that he will complete the facility construction action within one year of the permit issuance date. The permit shall become null and void if the construction actions is not completed within that period. Further, he agrees that he will operate and maintain the permitted facility in a manner so as to minimize any adverse impact on fish and wildlife habitat, natural environmental values and in a manner so as to minimize the degradation of water quality.

11. At such time that the permittee ceases to operate and maintain the permitted facility, upon expiration of this permit, or upon revocation of this permit, the permittee shall remove the permitted facility within 30 days, at his expense, and restore the waterway and lands to its former condition. If the permittee fails to remove and so restore to the satisfaction of the District Engineer, the District Engineer may do so by contract or otherwise and recover the cost thereof from the permittee.

12. The use of the permitted facility shall be limited to the mooring of the watercraft and the storage, in enclosed locker facilities, of gear essential to the operation of such watercraft.

13. Neither the permitted facility nor any houseboat, cabin cruiser, or other vessel regularly moored thereto shall be used for human habitation or in any manner which gives the appearance of converting the public property, on which the facility is located to private exclusive use.

14. No houseboat, cabin cruiser or other vessel shall be used for human habitation at a fixed or permanent mooring point.

15. No charge may be made for use by others of the permitted facility nor commercial activity be engaged in thereon.

16. The size of all structures shall be kept to a minimum to limit encroachment on the water surface.

17. Boat mooring buoys and floatation units of floating facilities shall be constructed of materials which will not become waterlogged or sink when punctured.

18. Floating structures are subject to periodic inspection by the Corps rangers. If an inspection reveals conditions which make the facility unsafe in any way or conditions which deviate from the approved plans, such conditions will be corrected immediately by the owner upon receipt of notification. No deviation or changes from approved plans will be permitted without prior written approval of the Resource Manager.

19. Floating facilities shall be securely anchored to the shore in accordance with the approved plans by means of moorings which do not obstruct the free use of the lakeshore.

20. That the display permit tag provided shall be posted on the floating facility or on the land areas covered by the permit so that it can be visually checked with ease in accordance with instructions of the Resource Manager.

21. No vegetation other than that prescribed in the permit may be altered, damaged, destroyed or removed.

22. No change in land form such as grading, excavation or filling may be done.

23. No vegetation planting of any kind may be done, other than that specifically prescribed in the permit.

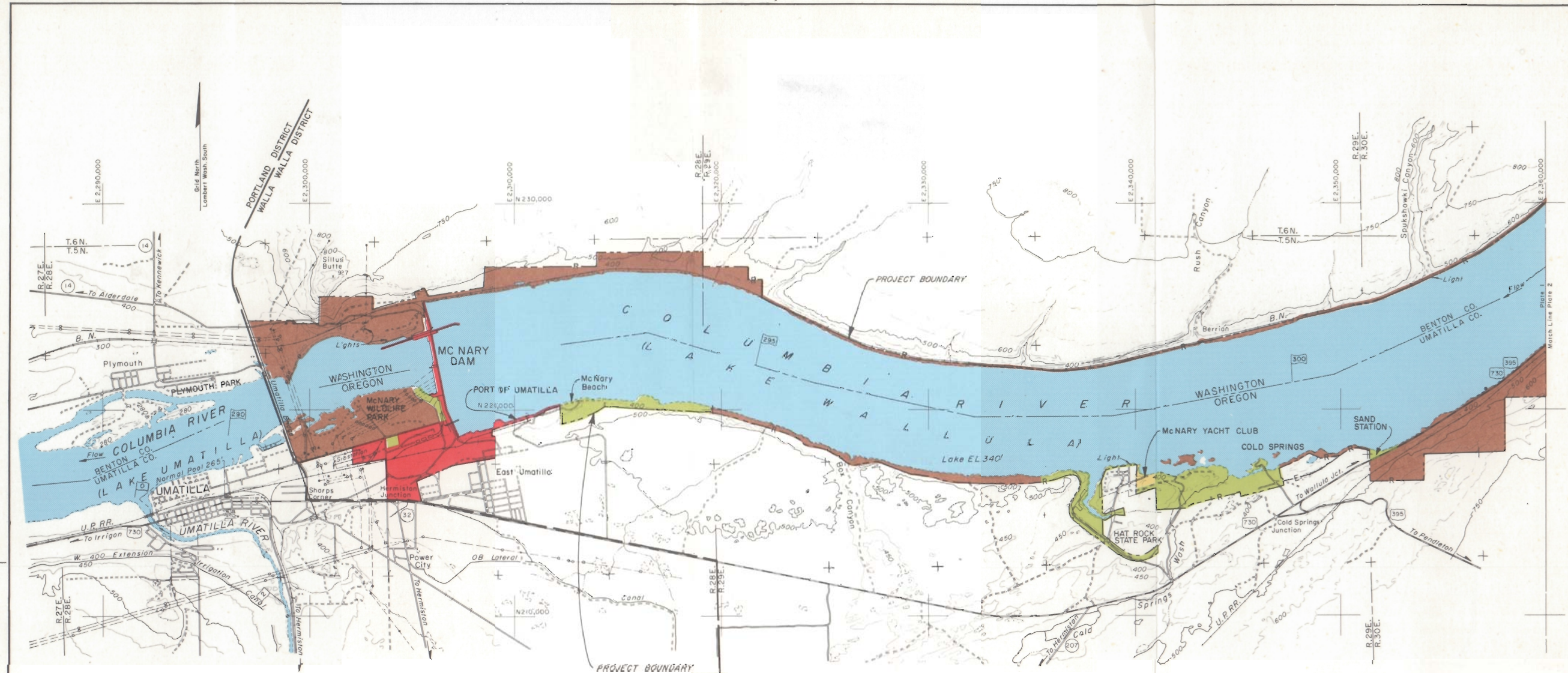
24. This permit is nontransferable. Upon the sale or other transfer of the permitted facility or the death of the permittee, this permit is null and void.

25. By 30 days written notice, mailed to the permittee by registered or certified letter the District Engineer may revoke this permit whenever he determines that the public interest necessitates such revocation or when he determines that the permittee has failed to comply with the conditions of this permit. The revocation notice shall specify the reasons for such action. If within the 30 day period, the permittee, in writing requests a hearing, the District Engineer shall grant such hearing at the earliest opportunity. In no event shall the hearing date exceed 60 days from the date of the hearing request. At the conclusion of such hearing, the District Engineer shall render a final decision in writing and mail such decision to the permittee by registered or certified letter. The

permittee may, within 5 days of receipt of the decision of the District Engineer appeal such decision to the Division Engineer. The decision of the Division Engineer shall be rendered as expeditiously as possible and shall be sent to the permittee by registered or certified letter. The permittee may, within 5 days of receipt of the decision of the Division Engineer appeal such decision in writing to the Chief of Engineers. The decision of the Chief of Engineers shall be final from which no further appeal may be taken.

26. Notwithstanding, Condition 25 above, if in the opinion of the District Engineer, emergency circumstances dictate otherwise the District Engineer may summarily revoke this permit.

27. The permittee shall visually inspect the permitted facility at least once daily.

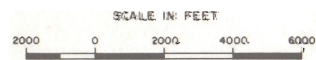


LAND ALLOCATION LEGEND

- PROTECTED LAKESHORE
- PUBLIC RECREATION
- PROHIBITED ACCESS
- LIMITED DEVELOPMENT

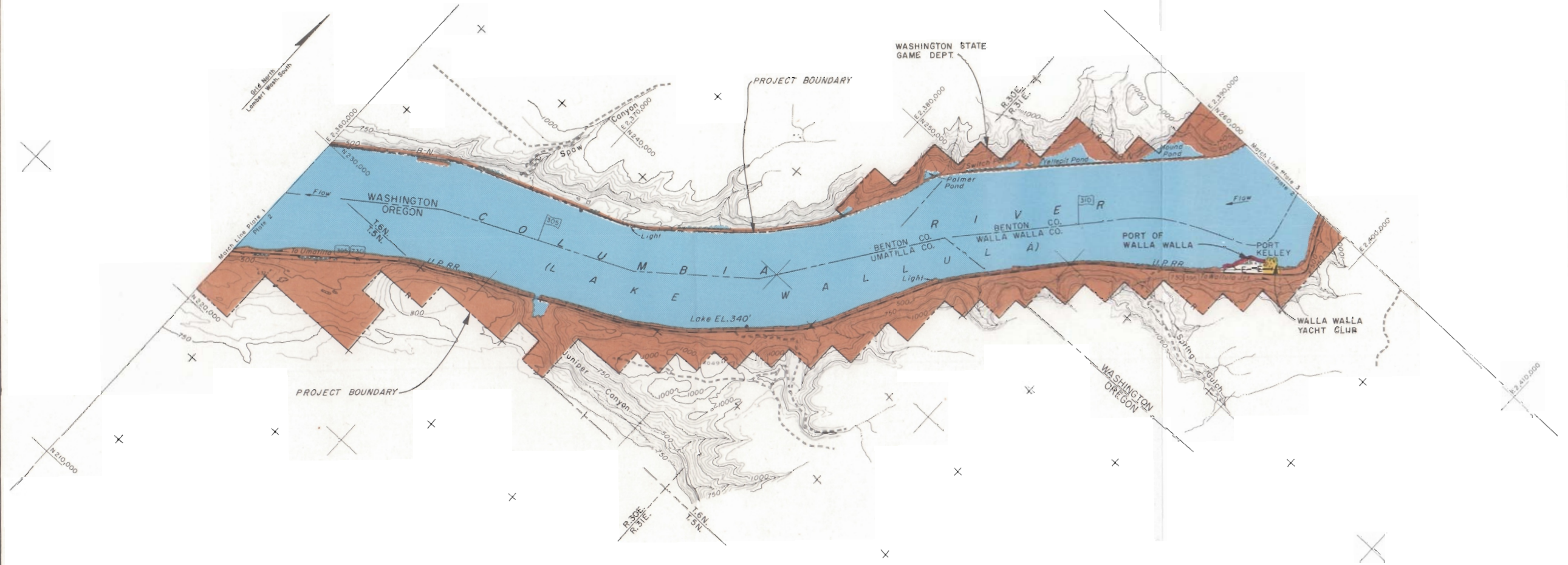
LEGEND

- R — Project Boundary
- E — Easement Boundary



NOTE:
 Basic Topography compiled from Quadrangle
 Maps 1:24,000 dated 1964 & 1962.
 Contour Interval 50'.
 Coordinates are Lambert Washington South.

B	Revised Land Allocation	
A	Revised Land Allocation	
REVISION	DATE	DESCRIPTION
U. S. ARMY ENGINEER DISTRICT WALLA WALLA, WASHINGTON		
McNARY LOCK AND DAM (LAKE WALLULA) COLUMBIA RIVER OREGON AND WASHINGTON LAKESHORE MANAGEMENT PLAN AREA ALLOCATION MAP LAKE WALLULA		
DESIGNED:	J. Sunday Architect	
DRAWN:	V. Henry	
CHECKED:	M. Mason	
SUPERVISED:	[Signature]	
SUBMITTED:	[Signature]	
CHIEF, RECREATION RESOURCE MANAGEMENT BRANCH	COLONEL, C. E. DISTRICT ENGINEER	DATE: 4/24/70
SCALE AS SHOWN	INV. NO. ENG.	FILE NO.
CHIEF, OPERATIONS DIVISION	[Signature]	SHEET

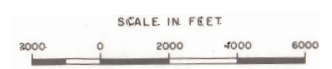


LAND ALLOCATION LEGEND

- PROTECTED LAKESHORE
- PROHIBITED ACCESS
- LIMITED DEVELOPMENT

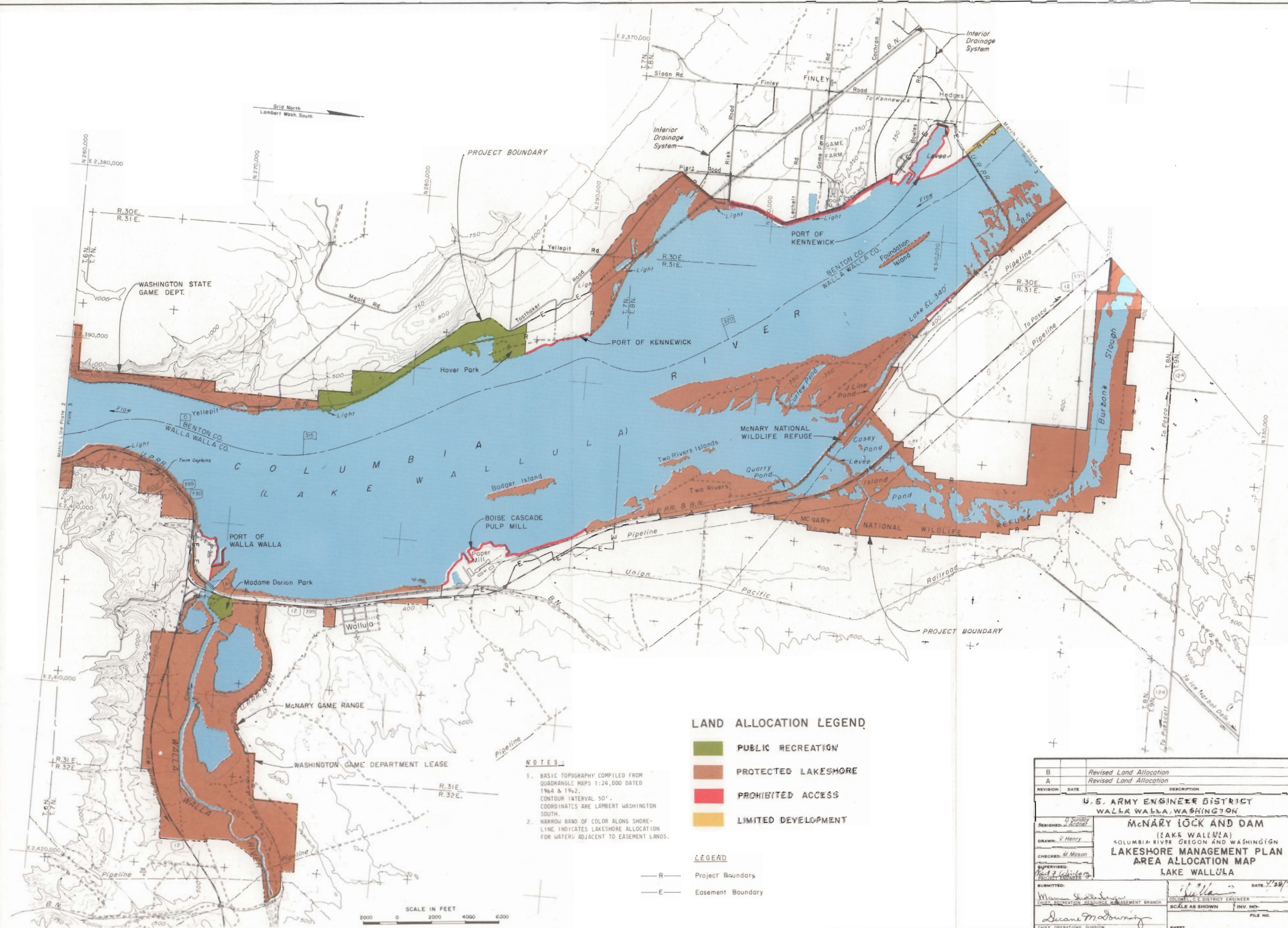
LEGEND

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 Basic Topography compiled from Squadrangle
 Maps 1:24,000 dated 1964 & 1962.
 Contour Interval 50'.
 Coordinates are Lambert Washington South.

B	Revised Land Allocations
A	Revised Land Allocations
REVISION	DATE DESCRIPTION
U. S. ARMY ENGINEER DISTRICT WALLA WALLA, WASHINGTON	
McNARY LOCK AND DAM (LAKE WALLULA) COLUMBIA RIVER OREGON AND WASHINGTON LAKESHORE MANAGEMENT PLAN AREA ALLOCATION MAP LAKE WALLULA	
DESIGNED: <i>V. Henry</i>	DATE: 4/30/78
DRAWN: <i>V. Henry</i>	CORPORAL, DISTRICT ENGINEER
CHECKED: <i>M. Mason</i>	SCALE AS SHOWN
SUBMITTED: <i>[Signature]</i>	INV. NO.
APPROVED: <i>[Signature]</i>	FILE NO.
CHEF, OPERATIONS DIVISION	ENGINEER



LAND ALLOCATION LEGEND

- PUBLIC RECREATION
- PROTECTED LAKESHORE
- PROHIBITED ACCESS
- LIMITED DEVELOPMENT

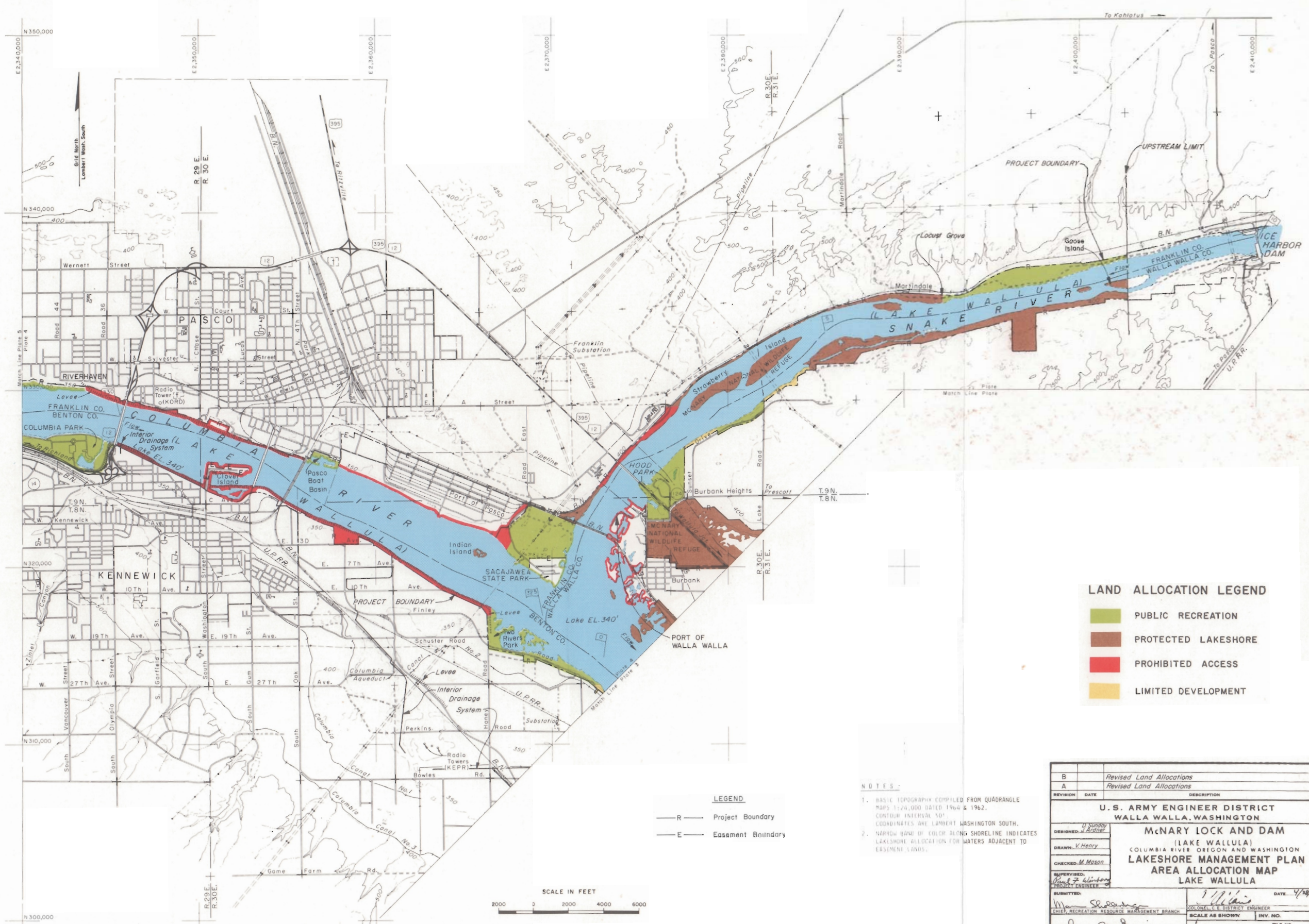
LEGEND

- Project Boundary
- Easement Boundary

NOTES:

1. BASIC TOPOGRAPHY COMPILED FROM QUADRANGLE MAPS 1:24,000 DATED 1964 & 1962. CONTOUR INTERVAL 50'. COORDINATES ARE LAMBERT WASHINGTON SOUTH.
2. NARROW BAND OF COLOR ALONG SHORELINE INDICATES LAKESHORE ALLOCATION FOR WATER ADJACENT TO EASEMENT LANDS.

B	Revised Land Allocation
A	Revised Land Allocation
REVISION	DATE
DESCRIPTION	
U. S. ARMY ENGINEER DISTRICT	
WALLA WALLA, WASHINGTON	
McNARY LOCK AND DAM	
(LAKE WALLULA)	
COLUMBIA RIVER OREGON AND WASHINGTON	
LAKESHORE MANAGEMENT PLAN	
AREA ALLOCATION MAP	
LAKE WALLULA	
DESIGNED: J. Arnold	DATE: 1/28/78
DRAWN: V. Henry	COLONEL, DISTRICT ENGINEER
CHECKED: M. Mason	SCALE AS SHOWN
SUPERVISED: Paul J. Williams	INV. NO.
PROJECT ENGINEER	FILE NO.
SUBMITTED: M. Mason	SHEET
CHIEF, OPERATIONS DIVISION	CHIEF, RECREATION RESOURCE MANAGEMENT BRANCH
<i>Duane McDermott</i>	



LAND ALLOCATION LEGEND

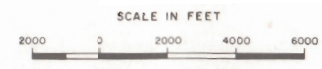
	PUBLIC RECREATION
	PROTECTED LAKESHORE
	PROHIBITED ACCESS
	LIMITED DEVELOPMENT

LEGEND

	Project Boundary
	Easement Boundary

NOTES:

- BASIC TOPOGRAPHY COMPILED FROM QUADRANGLE MAPS 1:24,000 DATED 1964 & 1962. CONTOUR INTERVAL 50'. COORDINATES ARE LAMBERT WASHINGTON SOUTH.
- NARROW BAND OF COLOR ALONG SHORELINE INDICATES LAKESHORE ALLOCATION FOR WATERS ADJACENT TO EASEMENT LANDS.



REVISION	DATE	DESCRIPTION
B		Revised Land Allocations
A		Revised Land Allocations

U. S. ARMY ENGINEER DISTRICT
WALLA WALLA, WASHINGTON

McNARY LOCK AND DAM
 (LAKE WALLULA)
 COLUMBIA RIVER, OREGON AND WASHINGTON
LAKESHORE MANAGEMENT PLAN
AREA ALLOCATION MAP
LAKE WALLULA

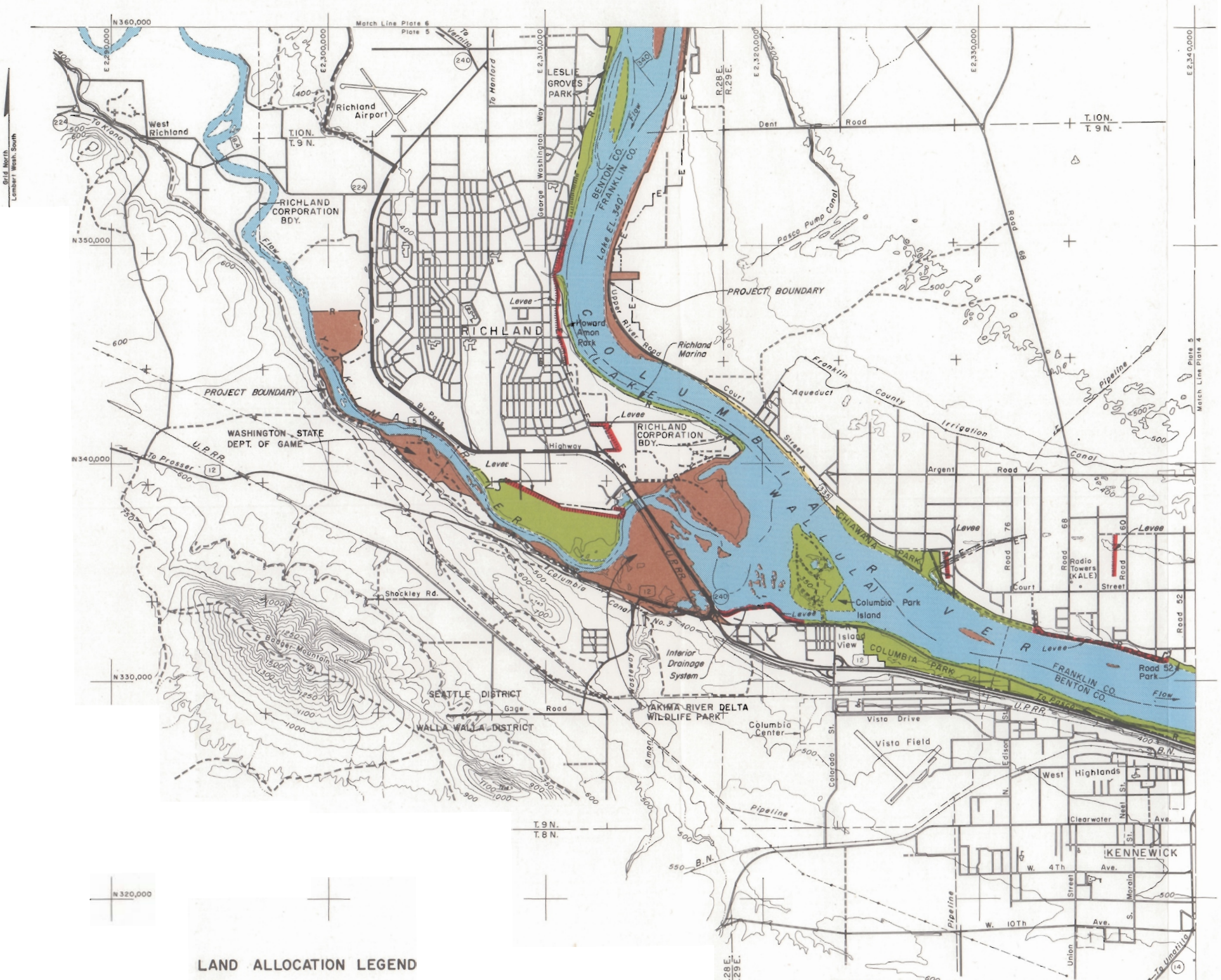
DESIGNED: *U. Sunday*
 DRAWN: *V. Henry*
 CHECKED: *M. Mason*
 SUPERVISED: *Paul F. Wilson*
 PROJECT ENGINEER

SUBMITTED: *Man...*
 CHIEF, RECREATION RESOURCE MANAGEMENT BRANCH

DATE: *4/20/78*
 COLONEL, U. S. DISTRICT ENGINEER

SCALE AS SHOWN INV. NO. _____
 SHEET _____ FILE NO. _____

Duane McDerming
 CHIEF, OPERATIONS DIVISION



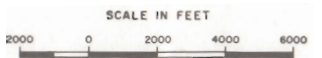
LAND ALLOCATION LEGEND

- PUBLIC RECREATION
- PROTECTED LAKESHORE
- PROHIBITED ACCESS
-

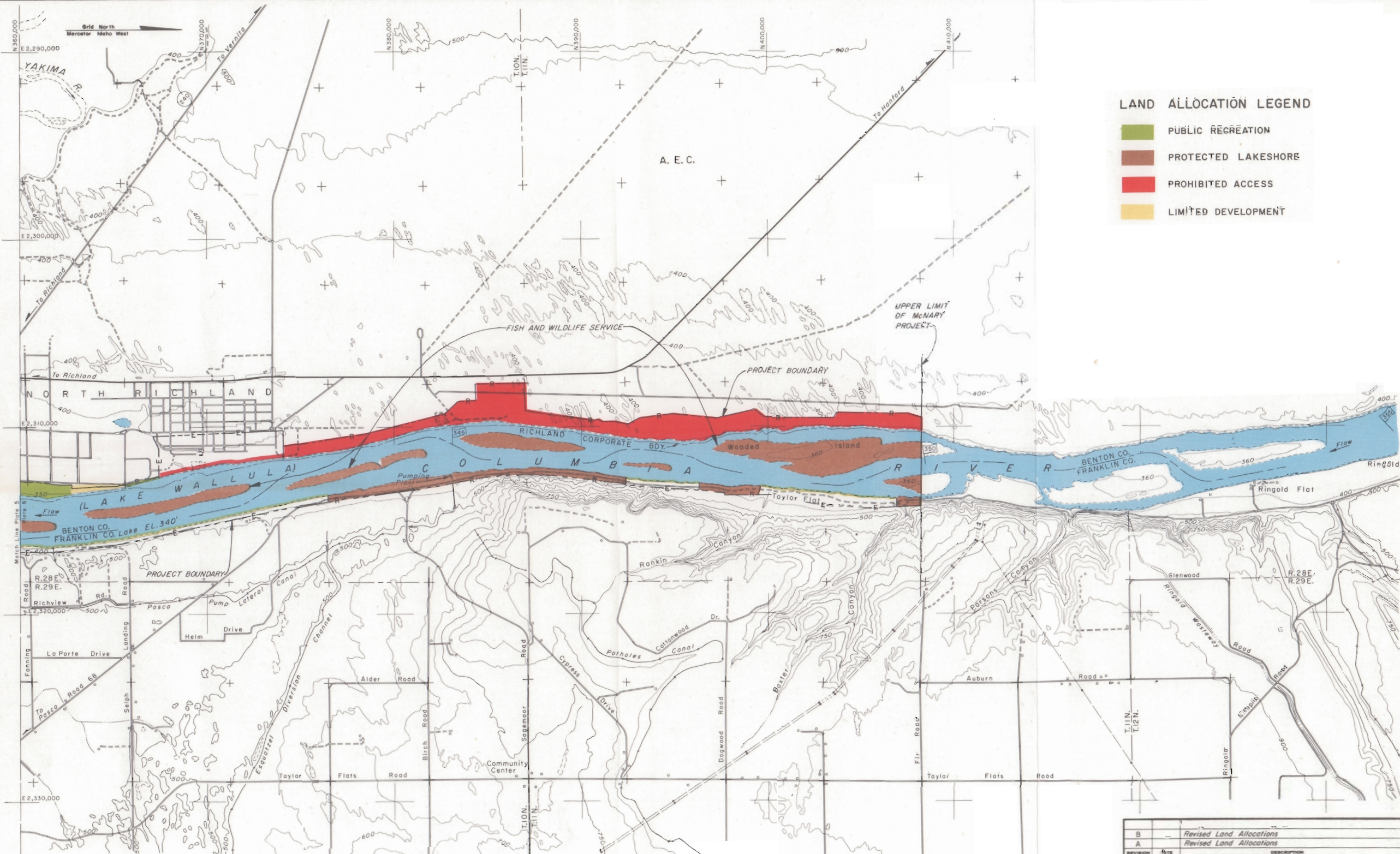
- LEGEND**
- Project Boundary
 - Easement Boundary

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B		Revised Land Allocation
A		Revised Land Allocation
REVISION	DATE	DESCRIPTION
U. S. ARMY ENGINEER DISTRICT WALLA WALLA, WASHINGTON		
McNARY LOCK AND DAM (LAKE WALLULA)		
COLUMBIA RIVER OREGON AND WASHINGTON LAKESHORE MANAGEMENT PLAN		
AREA ALLOCATION MAP		
LAKE WALLULA		
DESIGNED: <i>U. Sunday</i> <i>J. Aldred</i>	DRAWN: <i>V. Henry</i>	DATE:
CHECKED: <i>M. Mason</i>	SUPERVISED: <i>Paul F. Winter</i>	PROJECT ENGINEER
SUBMITTED: <i>Manuel Sebastian</i>	COLONEL, C.E. DISTRICT ENGINEER	SCALE AS SHOWN
CHIEF, RECREATION RESOURCE MANAGEMENT BRANCH	INVT. NO.	FILE NO.
CHIEF, OPERATIONS DIVISION	SHEET	

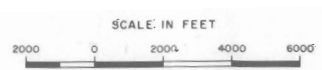


LAND ALLOCATION LEGEND

- PUBLIC RECREATION
- PROTECTED LAKESHORE
- PROHIBITED ACCESS
- LIMITED DEVELOPMENT

LEGEND

- R- Project Boundary
- E- Easement Boundary



NOTES:

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2. NARROW BAND OF COLOR ALONG SHORELINE INDICATES LAKESHORE ALLOCATION FOR WATERS ADJACENT TO EASEMENT LANDS.

REVISION	DATE	DESCRIPTION
B		Revised Land Allocations
A		Revised Land Allocations

**U. S. ARMY ENGINEER DISTRICT
WALLA WALLA, WASHINGTON**

**McNARY LOCK AND DAM
(LAKE WALLULA)
COLUMBIA RIVER REGION AND WASHINGTON
LAKESHORE MANAGEMENT PLAN
AREA ALLOCATION MAP
LAKE WALLULA**

DESIGNED: *[Signature]*
 DRAWN: *[Signature]*
 CHECKED: *[Signature]*
 SUPERVISOR: *[Signature]*
 SUBMITTED: *[Signature]* DATE: 4/24/72

CHIEF, RECREATION RESOURCE MANAGEMENT BRANCH
[Signature]
 DISTRICT ENGINEER

SCALE AS SHOWN
 DIV. NO.
 FILE NO.