



US Army Corps
of Engineers
Pittsburgh District

January 1987

Lakeshore Management Plan

**Part II.7.A of the Operational
Management Plan**

**Youghiogheny River Lake
Pennsylvania and Maryland**



DEPARTMENT OF THE ARMY
PITTSBURGH DISTRICT, CORPS OF ENGINEERS
WILLIAM S. MOORHEAD FEDERAL BUILDING
1000 LIBERTY AVENUE, PITTSBURGH, PA 15222-4186

ORPOR-R

8 September 1986

SUBJECT: Revised Lakeshore Management Plan

Commander, Ohio River Division
ATTN: ORDCO-OR/Gee

1. In accordance with ER 1130-2-406, the revised Lakeshore Management Plan for Youghiogheny River Lake is submitted for your review and approval. This plan represents the first revision to the original plan approved by Ohio River Division on 5 September 1979.
2. The following outlines the review process followed during the review:
 - a. A round of three meetings were held at three different locations from 22-26 October 1985. The purpose of these meetings was to solicit comments on the present plan from the general public and individuals from around the Lake. Following these meetings, a 30-day comment period was used to gather written comments from those who could not attend the meetings. Those attending the meetings were also encouraged to submit written comments.
 - b. In light of the comments received, as well as staff reviews, some changes were made to the existing plan. Since all changes were of a minor nature and impacted few people, no second round of meetings was held.
 - c. The draft updated plan was staffed through the District Office elements and Huntington Real Estate during February 1986. The first draft was offered for public comment from 2 March - 1 April 1986. Letters to those who attended the public meetings or submitted written comments announced this first draft comment period. News releases also provided notice to the public. Although approximately 50 copies of the draft were sent out to those who requested them, no comments were received from the general public.
 - d. In light of the above, the plan being submitted for approval is the plan circulated for comment during March 1986.
3. Changes made to the plan are summarized below:
 - a. The text was updated to delete initial implementation procedures and reflect actual practices implemented in 1979.

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SUBJECT: Revised Lakeshore Management Plan

b. The text was revised to reflect inclusion of the plan in the Operational Management Plan as well as regulation updates (Title 36 CPR and Real Estate).

c. The allocation map was changed to reflect actual boundaries of the plan's allocation areas and allow the creation of a new limited development area to honor a past commitment and, in turn, correct an oversight in the 1979 plan.

4. As per Ohio River Division's 1st Endorsement of the original plan, we have included letters of coordination with outgranting natural resource management agencies involved on the project.

Encl (6 cys)

Richard A. Rothblum MAJ, CE
RICHARD A. ROTHBLUM
Colonel, CE
Commanding

ORDCO-OR (ORPOR-R/8 Sep 86) 1st End
SUBJECT: Youghioghney Lakeshore Management Plan

Ms. Tessaro/mrb/684-3191

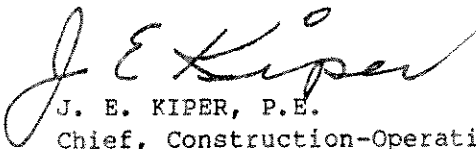
DA, Ohio River Division, Corps of Engineers, P.O. Box 1159, Cincinnati, OH
45201-1159 23 January 1987

TO: Commander, Pittsburgh District, ATTN: ORPOR-R

1. The revised lakeshore management plan for Youghioghney Lake is approved as submitted.
2. It may be necessary to submit an amendment to the plan pursuant to a policy determination on the effects of the Water Resource Development Act of 1986 as it pertains to boat docks. The plan will also be subject to comment when it is submitted as part of the OMP for Youghioghney Lake.

FOR THE COMMANDER:

Encl
nc



J. E. KIPER, P.E.

Chief, Construction-Operations Division

LAKESHORE MANAGEMENT PLAN
PART II.7.A OF THE OPERATIONAL MANAGEMENT PLAN
YOUGHIOGHENY RIVER LAKE
PENNSYLVANIA AND MARYLAND

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 PENNSYLVANIA AND MARYLAND

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LAKESHORE MANAGEMENT PLAN
PART II.7.A OF THE OPERATIONAL MANAGEMENT PLAN
YOUGHIOGHENY RIVER LAKE, PENNSYLVANIA AND MARYLAND

1. INTRODUCTION.

a. Purpose. The Lakeshore Management Plan establishes policy and furnishes guidelines for the protection and preservation of the desirable environmental characteristics of the Youghiogheny River Lake shoreline. The plan also considers means of restoration of the shoreline where degradation has occurred because of private exclusive use.

b. Authority. The authority to establish this plan is ER 1130-2-406, Lakeshore Management at Civil Works Projects, 13 December 1974.

c. References.

- (1) Section 4, 1944 Flood Control Act, as amended, P.L. 87-874.
- (2) The Act of 31 August 1951 (31 USC 483a).
- (3) The National Environment Policy Act of 1969, P.L. 91-190.
- (4) The Federal Water Pollution Control Act of 1972 (FWPCA).
- (5) Title 36, Code of Federal Regulations, Chapter III, Part 327, "Rules and Regulations Governing Public Use of Water Resource Development Projects Administered by the Chief of Engineers."
- (6) Executive Order 11752.
- (7) 33 CFR 209.120, "Regulatory Program of the Corps of Engineers."
- (8) ORDR 1130-2-27, "Management of Natural Resources and Outdoor Recreation," 1 May 85.

d. Applicability. This plan is applicable to all Youghiogheny project lands held in fee simple title by the Corps of Engineers, excluding lands leased for commercial concession activities. Facilities used in connection with commercial concessions are effectively controlled under their lease agreements.

e. History. Youghiogheny River Lake was authorized by Congress under the Flood Control Act of 28 June 1938. Construction of the dam began in 1940 and full operation of the project was accomplished by October 1943.

Some waterbased recreation and private facilities and uses were developed at the project shortly thereafter. As this trend became more pronounced, permit procedures were begun. Applicants were required to submit plans and specifications of their proposed facility. If the structural criteria and site location were acceptable and the applicant had a residence adjacent to Government property, a permit of license for the facility was then granted.

f. Cultural Resources. The cultural resources contained within the Youghiogheny River Lake project boundary are described in Part II, Section 11 of the Operational Management Plan.

2. OBJECTIVES OF THE PLAN.

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

b. Commercial Concessions. Boat owners will be encouraged to moor their boats at the commercial marina, utilize dry storage facilities off project lands, or trailer their boats to public launching ramps. The concessionaire will be encouraged to increase its storage capacity based on public demand. Additional concessions will be considered when the need is demonstrated.

c. Private Exclusive Use. Private exclusive use is the usage of public lands or waters by a private citizen or organization such that any benefit to be derived therefrom is in the predominate interest of that individual or organization. Private exclusive use may occur as an activity, e.g. mowing, or as spatial use that occurs when facilities, such as steps, docks, lightpoles, etc., 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. All exclusive use of public lands and waters will be by permit or outgrant instrument only.

d. Initial Development. A moratorium was declared on the issuance of permits at Youghiogheny Lake in 1975. The initial Management Plan was drafted in 1975 - 1978. Public involvement in the initial drafting consisted of a series of public meetings and the formulation of a planning committee. This committee gave detailed input for consideration. The initial plan was approved by Ohio River Division in July 1979 and implemented in January 1980. Additional information on the initial draft process will be kept in a permanent reference file at the project.

e. Review Process. A review of the Lakeshore Management Plan was begun with a series of local information sessions in October 1985. The purpose of the meetings was to gather public comment on the current plan. The public was also requested via newspapers, code-a-phone, and letters to current permit holders to submit written comments for a 30-day period ending 23 November 1985. All comments were reviewed, considered for inclusion, and answered accordingly. A draft plan was compiled and again submitted for public comment for a 30-day period prior to final draft (2 Mar - 2 Apr 86). The draft rewrite of the plan was submitted for approval to the Ohio River Division.

3. DESCRIPTION OF THE SHORELINE.

a. General. Youghiogheny Lake lies in the valley of the Youghiogheny River and spans the border between southwestern Pennsylvania and northwestern Maryland. The 17 mile long lake with widths up to one-half mile is characterized by an irregular, rugged shoreline and quick drop-off into deep water. The country surrounding the project is typified by narrow valleys and high rounded hills with steep slopes. Much of this land is forested with the forest communities being comprised predominately of the northern hardwoods and associates (beech, sugar maple, white ash, yellow poplar, basswood). The upper more nearly level areas of the hills are devoted to agriculture. The normal clarity of the lake together with the scenic surroundings add tremendously to the recreational value of the project.

b. Present Land Use. The Youghiogheny Lake project contains 3,915 acres, all of which is owned in fee by the Corps of Engineers. Of this land, 80 acres, which includes the dam structure, are used for project operations; 308 acres are managed by the Corps for intensive recreational use; and the remaining 687 acres of land area, which is almost totally forested, is managed for low intensity recreational use and wildlife habitat. The lake has conservation pool elevation of 1,439 feet above sea level which creates a pool of 2,840 acres. As the summer recreation season progresses, the pool is drawn down and consequently, the surface area of the lake decreases.

c. Private Development. In a number of areas around the lake, extensive private development, mostly summer homes, has occurred directly adjacent to the Government property. In many instances, this development has overflowed onto the Government property in the form of mowed lawns, tree cutting, boat docks, stairways, and other man-made alterations.

d. Existing Access. In addition to pedestrian access, several roads and developed ramps provide eight launching points to Youghiogheny Lake.

e. Prior Commitment. Historically, private boat docks have always been permitted on Youghiogheny Lake. At the implementation of Lakeshore Management in 1975, there were 101 private and community docks under permit on the reservoir. These private docks provided moorage space for approximately 500 boats.

f. Indian Lands. There are no Indian Lands within the boundaries of the Youghiogheny Lake project.

g. Joint Jurisdiction - Federal. No other Federal jurisdiction exists on the project.

h. Joint Jurisdiction - State.

(1) The Pennsylvania Fish Commission has a license from the Corps of Engineers to manage those portions of Youghiogheny Lake lying within Somerset and Fayette counties, Pennsylvania, for the purpose of Fish Conservation and Management. They also have a lease agreement for the Jockey Hollow Boat Launching Area.

(2) The Maryland Department of Forest, Parks, and Wildlife Service (formerly Department of Natural Resources) has a license on approximately 850 acres of the project in Maryland for Wildlife Management purposes.

4. LAKESHORE ALLOCATION.

a. 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 protect the natural beauty of the shoreline and to control the exclusive use of the lakeshore.

b. Allocations. A comprehensive study of the entire lakeshore, involving public participation, resulted in the development of a Lakeshore Management Plan for Youghiogheny Lake, which establishes the following shoreline allocations (see EXHIBIT A).

(1) Limited Development Areas. Certain private facilities may be permitted in areas designated for limited development. 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 summer pool (El 1439.0). The density of development may be less than 50 percent if the proposed use adversely affects the general public safety, the resources of the project or the recreation opportunities provided by the project as determined by the District Engineer. A 1983 boating study identified

several areas of the lake which are already congested. These areas will be closely monitored in the future. Any significant increase in the number of docks in these areas (10 percent or more) will require limiting the areas to less than a 50 percent density level for safety reasons.

(2) Public Recreation Areas. Private exclusive use facilities and vegetative modification are not permitted within or adjacent to developed recreation areas, or in areas in close proximity to parks where the structures would detract from the recreational appearance of the park. Existing authorized private facilities or activities located within designated, but undeveloped recreation areas will be permitted to remain until such time as recreational development is imminent or until the permit is terminated because of the sale of property or the death of the permittee. In such cases, relocation to a limited development area will be required. No new permits will be issued in undeveloped designated recreation areas, nor will add-on slips be allowed. Vegetative alteration or modification of land form is not permitted in these areas.

(3) Protected Lakeshore Areas. Private exclusive use facilities are not permitted in protected lakeshore areas. These areas were designated to protect aesthetic, environmental, and fish and wildlife values. Other reaches of the shoreline were included under this allocation for physical protection reasons including shallow areas and reaches of the shoreline subject to exposure to winds or currents as well as buffer zones around current and future recreation areas. Land access and boating are permitted along the shoreline within these areas as long as aesthetic, environmental, and natural resource values are not damaged or destroyed. Modification of the land form or vegetation may be permitted only after a thorough review of the long term effects on the environmental and physical characteristics of the area.

(4) Prohibited Access Areas. Private exclusive use facilities are prohibited in these areas. Such areas are so designated for the physical protection of the recreating public or for the protection of unique or fragile ecosystems. Examples of such would be unique fish spawn beds and certain hazardous areas near dams.

c. Shoreline Allocation Master Map. A master map of the shoreline is on display at the Office of the Resource Manager at Youghiogheny Lake.

5. PERMITS.

a. General. All private exclusive use or facilities located on Government lands or waters at Youghiogheny Lake must be covered by a permit, lease, or license (see EXHIBIT B). All private exclusive use or facilities not so covered by such legal instruments will be considered as unauthorized uses or structures and be subject to discontinuance or removal in accordance with Title 36, Code of Federal Regulations, Chapter III, Section 327.19.

b. Application Procedures. Applications for permits must be obtained from the Resource Manager's Office (see EXHIBIT C). The application must then be mailed by the individual with a check for the proper amount (made payable to the FAO, US Army, Ohio River Division) to the following address:

Resource Manager
Youghiogheny Lake
R.D. #1, Box 17
Confluence, PA 15424-9103

If approved, the application will be signed by the resource manager or his representative. The original will be filed at the project office and a copy will be sent to the permittee.

c. Honoring of Past Commitments. All previously issued leases, licenses, or permits will be subject to reapplication upon expiration. Permits which have lapsed for a period of one year or more will be treated as new applications.

(1) Protected Lakeshore Areas. All previously issued leases, licenses, or permits within protected lakeshore areas are subject to reapplication upon expiration. Leases, licenses, or permits will be available to the present permittee until the transfer of ownership or death of the present and recorded permittee. In the case where a husband or wife dies and his or her name appears on the permit, the permit will be honored for the surviving spouse and children living in the household as of 5 September 1979.

(2) Future Recreation Areas. The policies stated in 5.c.(1) above also apply to future recreation areas. In the event that definite plans are made to commence development of the area for recreation, the permittees will be notified accordingly and required to relocate their activities to a limited development area.

d. Community Docks and Boat Clubs. Applications for boat club docks must be accompanied with a photostatic copy of appropriate Articles of Incorporation or Partnership of a nonprofit organization or the Articles of Agreement between parties for a non-profit organization. A complete and current listing of the registration numbers of all boats utilizing the facility must also be included. Any changes in boat registration numbers must be immediately reported to the Resource Manager. Only one application should be filed under the official name of the organization. Effective 1 Jan 86, all new boat clubs must meet the access requirements outlined in paragraph 6.a below. Due to a contractual agreement, no new boat clubs are permitted within a one-mile radius of the marina site. Community boat dock members, who do not wish to become incorporated, must file individual boat dock applications. All organizations applying for boat club dock permits must comply with the following:

(1) File articles of incorporation of a non-profit organization or articles of agreement of a non-profit organization with the Resource Manager.

(2) File copies of financial statements with the resource manager.

(3) Keep all books and records of the docking facility open for inspection upon request.

e. Lakeshore Use Permits. Permits are issued and enforced in accordance with the provisions of title 36, Code of Federal Regulations, Chapter III, Section 327.19. Applications for all structures or actions requiring a permit, lease or license will be made to the resource manager located at the dam. These permits are nontransferable and shall become null and void upon the sale or transfer of the structure, or the death of the permittee. Existing permittees as of 1979 will be allowed to place the name of the spouse or children on a renewal permit to be issued under this plan. The names of the children will be allowed to be placed on a renewed permit only if they were residing within the household of their parents as of 5 September 1979. The permit shall remain in effect for five years and will be renewed as long as either the spouse or children shall live, provided that access is available and the facility is properly maintained. Lakeshore use permits are also issued for vegetative modification activities on the land which does not involve in any way a disruption to or a change in land form. Violations of the conditions of the permit or any unauthorized modification of the permitted structure or activity will be grounds for revocation of the permit. Lakeshore use permits are subject to revocation with 30 days notice if removal of the permitted structure or activity is required to conform with the law, this plan, or the operational procedures of the lake. For brevity, the term "Lakeshore Use Permit" and "Permit" shall be used interchangeably.

f. Department of Army Permits. Permits will be required for the discharge of dredged material or the placement of fill material below the elevation of ordinary high water, under the authority of Section 404 of the Clean Water Act, E.P.A. guidelines (40 CFR Part 230) and the Corps' Public Interest Review (33 CFR Part 320 et seq.) will be applied when evaluating the permit applications. Lakeshore use permits will not be issued under these circumstances.

g. Real Estate Instruments. Real estate instruments shall cover all commercial development activities and all activities by individuals which are not covered in Sections 8 and 9. These involve changes in land form or appropriate land-based support facilities required for private floating facilities. All rights-of-way for waterlines, stairways, light poles, and

walkways shall also be included and must be covered by a Real Estate instrument. Real Estate instruments are issued according to rate schedules established pursuant to regulation.

h. Conditions. Any individual or group wishing to use or change landscape, build upon or place upon Government property any facility, must obtain written permission through the Resource Manager's Office. Plans and specifications for construction of any structure on Government lands or waters are required. These documents will include structural design, anchorage methods, construction material, size, location, owner's address and telephone number, and expected duration of use. In addition, required plans and specifications for any alterations or improvements to existing permitted facilities shall be submitted to the Resource Manager for approval before being undertaken.

6. PRIVATE MOORAGE FACILITIES.

a. General. All members of the public have an equal opportunity to moorage privileges in limited development areas provided the applicant has public access to Government land and that the density of development, as outlined in paragraph 4.b.(1) Limited Development Areas, have not been exceeded. When the density of moorage development reaches the maximum percentage as determined for the allocated limited development area, permits for new, private floating facilities will not be issued and present facilities will not be permitted to enlarge until space becomes available by the cancellation or termination of another docking permit. Public access in designated limited development areas has been defined as subsections of the areas where such access is possible. These subsections have a separate 50 percent density limitation in order to comply with the policy set forth in paragraph 4.e of ER 1130-2-406.

b. Basic Minimum Requirements. All private moorage facilities are subject to those conditions which are set forth in both the boat dock application and the Lakeshore Management Plan. At such time when major repairs or replacement of existing facilities becomes necessary, it then becomes the owner's responsibility to ensure that all guidelines and standards for construction of private moorage facilities are strictly adhered to. The Lakeshore Management Plan requirements for private floating structures are as follows:

(1) Docks shall be of a basic tee, u-shaped, or of some other similar design, which would facilitate the formulation of future community docking sites.

(2) Walkway portions will be at least 36 inches and not more than 48 inches in width.

(3) Framing will consist of 2 X 6-inch lumber or its equivalent in strength.

(4) Docks, if painted, will be painted white or a solid color so as not to detract from, or compete with, the aesthetic appeal of the shoreline.

(5) Flotation devices must consist of a material that will not sink if punctured. Industrial metal drums, whether filled or otherwise, are considered unacceptable flotation devices for private docks.

(6) Electric lines, lights, or outlets will be permitted upon docks only after acquisition of a license from Real Estate Division. All applicable local, state, and national electric code standards must be strictly adhered to.

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

(8) Each section or slip of a community dock shall be identified by the boat number corresponding to those which are recorded on the approved lakeshore use application. This is done in order to facilitate compliance inspections and to act as an aid in the identification of dock ownership in the event of storm damage.

(9) Vegetation, alive or dead, will at no time be used to anchor a dock.

(10) Each permittee will post one permit tag on the permitted facility. This tag will be provided by the project office. The tag will be displayed so that it can be visually checked by boat (see EXHIBIT D).

(11) It is expected that docks will be maintained floating on the lake and in a safe state of repair. Unsafe structures, as determined by the Resource Manager, will be corrected promptly or the permit will be subject to revocation. At the end of the boating season, but not before Labor Day, docks may be left to go dry as the water recedes and remain stored on the dry lake bed over winter. In no case, however, shall docks be stored between the normal summer shoreline (elevation 1439 MSL) and the Government property boundary. This is to eliminate any destruction to the lakeside vegetation and reduce the proliferation of eyesores.

7. VEGETATIVE ALTERATION.

a. Mowing Permits. Guidance for the issuance of mowing permits is as follows:

(1) Mowing Permits in Limited Development Areas. Mowing permits may be issued by the Resource Manager for adjoining landowners to mow an area to the lakeshore to a width of 75 feet or the width of their lot, whichever is the least. In the case of clubs, mowing permits may be granted up to 200 feet. These limits are imposed to protect the aesthetics of the lake and yet accommodate, as much as possible, past practices.

(2) Areas Where Mowing is Restricted. New mowing permits will not be issued in protected areas, recreation areas, future recreation areas, or areas designated prohibited access. There may be a letter of permission issued to mow a four foot wide path on an individual basis in protected areas. There is no administrative fee for letters of permission.

8. LICENSED STRUCTURES ISSUED WITHIN LIMITED DEVELOPMENT AREAS.

a. General. Application may be made to the Resource Manager for a license to cover authorized lakeshore uses or facilities other than boat docks or mowing. The Resource Manager will review these applications and forward to the Real Estate Division for approval. There will be a fee associated with issuance of these licenses based upon rate schedules established pursuant to regulation. (Erosion control devices are exempt from these fees.)

b. Electric Lines and Light Poles. Light poles and their accompanying electric lines may be licensed where necessary as safety items. Electric lines shall either be buried or strung no lower than eight feet above the ground and have a shut-off device above the flood pool elevation of 1470. In no case will electric lines or lights be attached to a tree. All applicable state and local health and electrical codes (including the National Electrical Code) shall be adhered to.

c. Steps, and Walkways, or Footbridges. Steps, walkways, and footbridges are considered as dock support facilities and will continue to be licensed in limited development areas. In all other areas, such support facilities shall be permitted to remain only as long as the floating facility is permitted to remain in that location.

d. Erosion Control Devices. Erosion control devices may be permitted where bank erosion is causing a problem or endangering adjacent private facilities. The erosion control structure may be of riprap (stone), wood, placed concrete, or masonry. These erosion control devices will require authorization under Section 404 of the Clean Water Act. Plans must be submitted to the Resource Manager before such work is done on Government property. The Resource Manager will forward the request to the Pittsburgh District Office for approval.

9. FEES.

a. Dock Permits. Private floating dock permits will be issued for a five-year period and the charge for the permit will be set by engineering regulation. The current fee is \$30 for the five years. This total is based on a \$10 issuance fee (including an initial inspection) plus a \$5 annual inspection fee for the remaining four-year period. This fee is needed to help defray expenses associated with the issuance and administration of the permits and the inspections that are required.

(1) Each individual dock permittee will be issued a permit and charged a fee of \$30 for a five-year period.

(2) Boat clubs or community area docks that are non-profit organizations and that are incorporated or have a partnership will be issued one dock permit for their group. Accordingly, there will be a charge of \$30 for a five-year period.

(3) In community docks, which are not incorporated, each individual boat dock permittee will be issued a permit and charged a fee of \$30 for a five-year period.

b. Mowing Permits. There will be an administrative fee of \$10 for issuing a mowing permit. Mowing permits will be issued annually.

c. Licenses. There will be a fee associated with issuance of a license from the Real Estate Division based upon rate schedules established pursuant to regulation.

10. PROHIBITED FACILITIES AND ACTIVITIES.

a. General. Any private exclusive use or facility not under valid permit is prohibited. Examples include, but are not limited to the following:

(1) Piers. Any type of fixed pier or platform either on the land or extending into the water from the lakeshore is prohibited.

(2) Pilings or Posts. Any type of piling or post driven into the lake bottom for the purpose of mooring or tying boats is prohibited.

(3) Tree Cutting, Pruning, or Other Forms of Vegetative Alteration. Any such activity not covered by valid written permission is prohibited.

(4) Sewage or Outfall Structures. Any type of sewage or outfall structure is prohibited.

(5) Fences. Any type of fence or similar structure is prohibited, unless authorized in conjunction with an agricultural lease.

(6) Land Form Modifications. Any type of land form modification, excavation, or fill is prohibited unless the modification is in compliance with the approved plans for a permitted activity.

(7) Buoys or Waterway Markers. Privately owned buoys or waterway markers are prohibited unless under permit by a law enforcement agency.

(8) Gardens. Vegetable, flower, or rock gardens are prohibited.

(9) Burning. Burning of any materials by private individuals is prohibited on any Government-owned lands above the vegetation line at 1439 feet mean sea level. During periods when the lake elevation is below 1439 feet mean sea level, the burning of debris will be permitted on the dry lakebed in accordance with local burning ordinances.

(10) Trash. Accumulation of garbage, trash, refuse, litter, or similar materials is prohibited.

(11) Herbicides. No herbicide may be used for vegetation control.

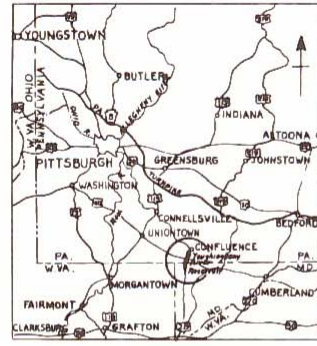
(12) Painting. Tree trunks, boulders, stumps, or rock outcroppings shall not be painted or whitewashed but remain their natural condition.

(13) Other. Picnic tables, lawn furniture, ornamental structures and figurines, playground equipment, fireplaces, patios, signs, flagpoles installed after 15 September 1981, and swim floats will not be permitted.

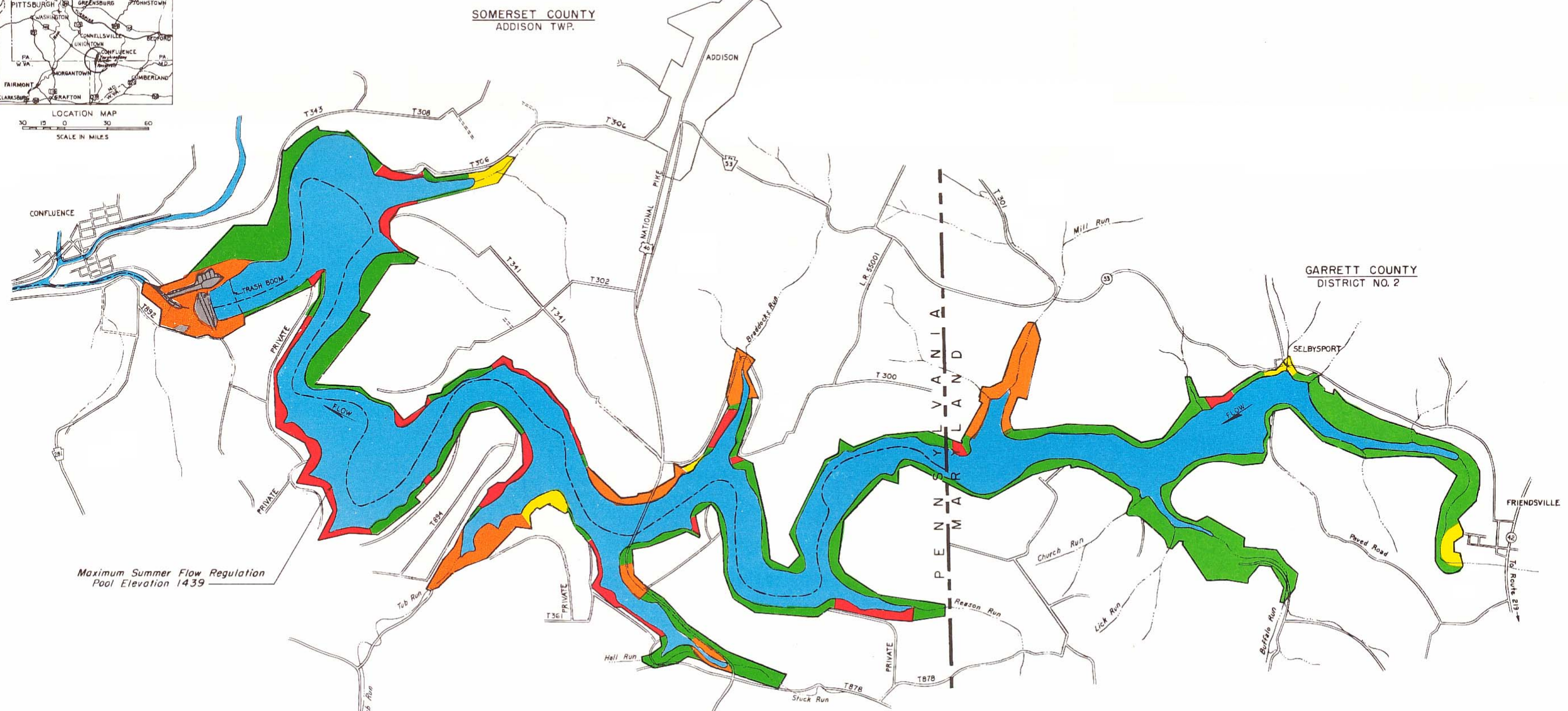
11. REVIEW.

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.

EXHIBIT A
YOUGHIOGHENY LAKESHORE ALLOCATIONS MAP



LOCATION MAP
SCALE IN MILES

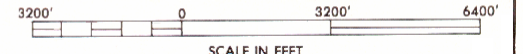


Maximum Summer Flow Regulation
Pool Elevation 1439

- Limited Development Area
- Protected Lakeshore Area
- Prohibited Access Area
- Existing Recreation Area
- Future Recreation Area

- LEGEND**
- U.S. Government Property Line
 - State Boundary Line
 - County Boundary Line
 - Federal Highway
 - State Highway
 - Other Existing Roads

LAKESHORE MANAGEMENT PLAN
FOR
YOUGHIOGHENY RIVER LAKE
YOUGHIOGHENY RIVER—PA. & MD.
LAKESHORE ALLOCATIONS



SCALE IN FEET
U. S. ARMY ENGINEER DISTRICT, PITTSBURGH, CORPS OF ENGINEERS
OFFICE OF THE DISTRICT ENGINEER, PITTSBURGH, PA., 23 Jan. 1987

EXHIBIT B
SUMMARY OF APPLICATION PROCEDURES

EXHIBIT B
SUMMARY OF APPLICATION PROCEDURES

<u>Structure</u>	<u>Type of Instrument</u>	<u>Fee</u>	<u>Duration</u>
Boat Dock (Single)	Permit	\$30.00	5 Years
Boat Dock (Club)	Permit	\$30.00	5 Years
Mowing	Permit	\$10.00	1 Year
Electric Lights and Poles	License	Rate Schedule	Variable
Stairs	License	Rate Schedule	Variable
Erosion Control Devices	License	---	Variable

EXHIBIT C
APPLICATION FOR LAKESHORE USE PERMIT

APPLICATION FOR LAKESHORE USE PERMIT

(ER 1130-2-406)

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

LAKE	DATE OF APPLICATION
NAME OF APPLICANT	TELEPHONE AREA CODE AND NUMBER
STREET	CITY AND STATE
TYPE OF FACILITY <input type="checkbox"/> BOATHOUSE (w/roof) <input type="checkbox"/> BOAT PIER (open) <input type="checkbox"/> BOAT MOORING BUOY <input type="checkbox"/> SKI JUMP <input type="checkbox"/> DUCKBLIND <input type="checkbox"/> FLOAT <input type="checkbox"/> OTHER (specify) <input type="checkbox"/> LAND USE (specify)	

BRIEF DESCRIPTION OF LOCATION OF FACILITY, PERMIT NUMBER(S) OF BOAT OR BOATS TO BE DOCKED IF THIS APPLICATION IS FOR A BOAT MOORING FACILITY OR DEVELOPMENT IF THIS APPLICATION IS FOR LAND USE;

THE FOLLOWING 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 AND STATE

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

_____ Date _____ Signature of Applicant
 (DO NOT WRITE BELOW THIS LINE)

PERMIT

PERMIT NO.	DATE ISSUED	PERMIT EXPIRES (date)
------------	-------------	-----------------------

THIS PERMIT TO CONSTRUCT AND/OR MAINTAIN AND USE A FLOATING RECREATION FACILITY OR 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 IS HEREBY GRANTED BY DELEGATION OF THE SECRETARY OF THE ARMY UNDER AUTHORITY CONFERRED ON HIM BY THE ACT OF CONGRESS APPROVED 31 AUGUST 1931 (U.S.C. 140). THE PERMITTEE SHALL ADHERE TO THE CONDITIONS FOR LAKESHORE USE.

_____ Date _____ Signature of Resource Manager

CONDITIONS OF PERMIT FOR LAKESHORE USE

1. This permit is granted solely for the purpose described by the permittee on the opposite side of this form.
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 action 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. No pier or boathouse is to be used for human habitation. Household furnishings are not permitted on boat piers or boathouses.
13. No houseboat, cabin cruiser or other vessel shall be used for human habitation at a fixed or permanent mooring point.
14. No charge may be made for use by others of the permitted facility nor commercial activity be engaged in thereon.
15. The size of all structures shall be kept to a minimum to limit encroachment on the water surface.
16. Boat mooring buoys and flotation units of floating facilities shall be constructed of materials which will not become waterlogged or sink when punctured.
17. 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.
18. 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.
19. That the display permit tag provided shall be posed 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.

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

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

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

23. This permit is non-transferable. Upon the sale or other transfer of the permitted facility or the death of the permittee, this permit is null and void.

24. 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 the 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.

25. Notwithstanding condition 24 above if, in the opinion of the District Engineer, emergency circumstances dictate otherwise the District Engineer may summarily revoke this permit.

26. This permit grants docking privileges to the permittee only. Only boats that are registered to the permittee are authorized to be moored at the permittee's docking facility. (This does not apply to community docks.)

EXHIBIT D
SAMPLE PERMIT

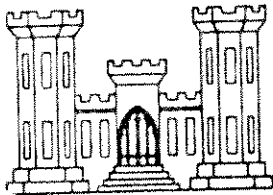
APPENDIX D

PERMIT

01234

EXPIRES 30 NOV. 1974

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



**U.S. ARMY
CORPS OF ENGINEERS**

EXHIBIT E
COORDINATION WITH OUTGRANTING AGENCIES



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA FISH COMMISSION
SOUTHWEST REGIONAL OFFICE

R. D. #2
SOMERSET, PA. 15501

August 4, 1986

Clyde A. Braun, Jr., Resource Manager
U. S. Army Corps of Engineers
Youghioghney Dam, R.D. 1, Box 17
Confluence, Pennsylvania 15424

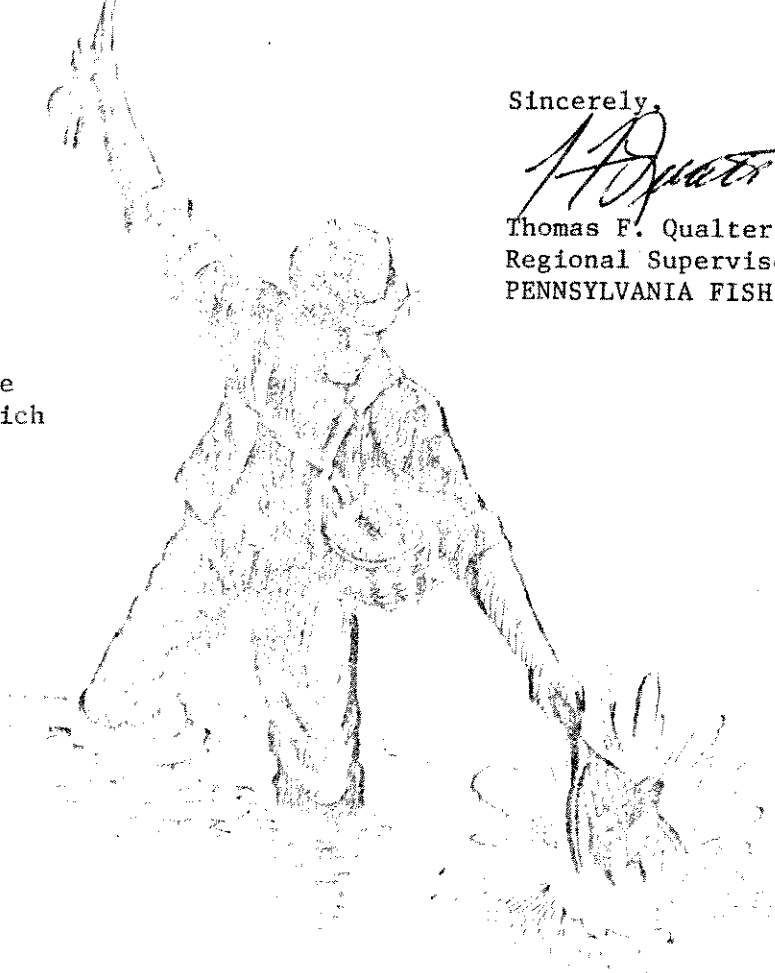
Dear Mr. Braun:

Regarding the management plan for the Youghioghney Lake, be advised that Waterways Conservation Officer Flyte, Area Fisheries Manager Blake Weirich, and I, have reviewed the plan and have no comments.

Sincerely,

Thomas F. Qualters
Regional Supervisor
PENNSYLVANIA FISH COMMISSION

TFQ:ab
cc B. Flyte
B. Weirich





DEPARTMENT OF NATURAL RESOURCES
Maryland Forest, Park & Wildlife Service
Route 8, Box 22
Naves Crossroad
Cumberland, Maryland 21502
(301) 777-2136

DONALD E. MacLAUGHLAN
DIRECTOR

EDWARD J. GOLDEN
REGIONAL WILDLIFE MANAGER

February 19, 1986

Mr. Clyde A. Braun, Jr.
Resource Manager
Youghiogheny River Lake
R. D. #1, Box 17
Confluence, PA 15424-9103

Dear Mr. Braun:

The Lakeshore Management Plan has been reviewed by District Manager, Al Bourgeois. We have no comments regarding changes to be made for the wildlife section.

Thank you for giving us the opportunity to review the plan. Hopefully, we will be able to continue our cooperative efforts to benefit wildlife on the Youghiogheny River area in Maryland.

Sincerely,

Ed Golden
Ed Golden
Regional Wildlife Manager

EG:ip

Encls.

cc: E. Hodil