DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SOUTHWESTERN DIVISION
1100 COMMERCE ST, STE 831
DALLAS, TX 75242-1317

CESWD-ZA

21 Oct 24

MEMORANDUM FOR Commander, U.S. Army Corps of Engineers, Fort Worth District (CESWF-ZA), P.O. Box 17300, Fort Worth, TX 76102-0300

SUBJECT: Proctor Lake, Texas Shoreline Management Plan Revision

1. I have reviewed and hereby approve the subject Shoreline Management Plan (SMP) IAW Engineer Regulation (ER) 1130-2-406, Shoreline Management at Civil Works Projects, originally dated 13 December 1974, revised 31 October 1990.

2. I have reviewed and approved the enclosed Finding of No Significant Impact (FONSI) for the Environmental Assessment for the subject Shoreline Management Plan Revision in accordance with the National Environmental Policy Act of 1969.

3. The point of contact for this memorandum is Mr. Joshua Quiring, Project Manager, at (817) 886-1622 or joshua.a.quiring@usace.army.mil.

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GEORGE H. WALTER, PMP
COL, EN
Commanding

FINDING OF NO SIGNIFICANT IMPACT
ENVIRONMENTAL ASSESSMENT FOR THE
2024 PROCTOR LAKE SHORELINE MANAGEMENT PLAN
BRAZOS RIVER BASIN
COMANCHE COUNTY, TEXAS

The U.S. Army Corps of Engineers (USACE) Engineering Regulation (ER) 1130-2-406, requires a shoreline plan as a part of a USACE water resources development project that has a federally owned land base with private shoreline use (also private exclusive use). The revision of the 1976 Proctor Lakeshore Management Plan would incorporate language that supports the natural resources mission statement to "manage and conserve natural resources consistent with ecosystem management principles" as set forth in ER 1130-2-540 and align the 2024 Proctor Lake Shoreline Management Plan with the 2024 Proctor Lake Master Plan, all while ensuring public participation.

In accordance with the National Environmental Policy Act of 1969, as amended, including guidelines in 33 Code of Federal Regulations (CFR), Part 230 and 40 CFR Parts 1500-1508, the U.S. Army Corps of Engineers, Fort Worth District has conducted an environmental analysis on the 2024 Proctor Lake Shoreline Management (SMP). The SMP addresses the need for an updated comprehensive land management document for Proctor Lake in Comanche County, Texas.

The revision of the 1976 Proctor Lakeshore Management Plan (hereafter Plan or Management Plan) is a framework built collaboratively to serve as a guide toward appropriate stewardship of USACE administered resources at Proctor Lake over the next 25 years.

The Environmental Assessment (EA) for the 2024 Proctor Lake SMP evaluated an alternative that would revise the Management Plan to meet current policy, and its assessment of impacts are summarized in Table 1 and the EA are included as reference.

In addition to a "no action" plan, one alternative that fully meets the project purpose was evaluated (proposed action/plan). Chapter 2.0 of the SMP EA discusses the alternative formulation and selection as well the summary of the new objectives. Section 2 and Table 2-1 of the SMP summarizes the changes to the shoreline classifications. The proposed plan includes coordination with the public, updates to comply with the USACE regulations and guidance, and reflects changes in land management and land uses that have occurred since 1976. Shoreline classifications were refined to meet authorized project purposes and current resource objectives that address a mix of natural resources and recreation management objectives that are compatible with regional goals, recognize outdoor recreation trends, and are responsive to public comments.

Table 1: Summary of Potential Effects of the Proposed Plan

Resource	Insignificant effects	Insignificant effects as a result of mitigation	Resource unaffected by action
Aesthetics	☒	☐	☐
Air quality	☒	☐	☐
Aquatic resources/wetlands	☒	☐	☐
Climate, Climate change, and Greenhouse gases	☐	☐	☒
Fish and wildlife habitat	☒	☐	☐
Floodplains	☒	☐	☐
Hazardous, toxic & radioactive waste	☐	☐	☒
Historic properties	☒	☐	☐
Hydrology	☒	☐	☐
Invasive species	☒	☐	☐
Land use	☒	☐	☐
Other cultural resources	☒	☐	☐
Socioeconomics and Environmental Justice	☒	☐	☐
Topography, Geology, and Soils	☒	☐	☐
Threatened/Endangered species/critical habitat	☒	☐	☐
Water quality	☒	☐	☐

All practicable and appropriate means to avoid or minimize adverse environmental effects have been analyzed and incorporated into the proposed plan. The proposed plan will not entail any ground-disturbing activities. Future ground-disturbing activities on USACE property will be subject to all necessary environmental evaluations and compliance regulations.

No compensatory mitigation is required as part of the proposed plan.

Public review of the draft SMP, Environmental Assessment, and Finding of No Significant Impact (FONSI) was completed on April 19, 2024. All comments submitted during the public review period will be responded to in the final SMP.

Pursuant to Section 7 of the Endangered Species Act of 1973, as amended, the U.S. Army Corps of Engineers has determined that the proposed plan will have no effect on federally listed species or their designated critical habitat.

The proposed plan has No Potential to Effect Historic Properties in accordance with the National Historic Preservation Act, Section 106 (36 CFR Part 800), as amended.

All applicable environmental laws were considered and coordination with appropriate agencies and officials has been completed.

All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on the final report, the reviews by other Federal, State, and local agencies, Tribes, input of the public, and the review by my staff, it is my determination that the proposed plan would not cause significant adverse impacts on the quality of the human environment, therefore, preparation of an Environmental Impact Statement is not required.

21 October 2024

Date

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George H. Walter
Colonel, U.S Army
Commanding

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

CESWF-PEM-E

MEMORANDUM FOR Commander, U.S. Army Corps of Engineers (USACE), Fort Worth District

SUBJECT: Proctor Lake Shoreline Management Plan Revision (September 2024)

1. PURPOSE: Enclosed subject Shoreline Management Plan (SMP) is submitted for review and approval in accordance with Engineering Regulations (E.R.) 1130-2-406, Shoreline Management at Civil Works Projects, originally dated 13 December 1974 and revised 31 October 1990.

2. BACKGROUND/DISCUSSION: This revision of the Proctor Lake Shoreline Management Plan is intended to bring the Shoreline Management Plan up to date to establish policies and set guidelines by which the U.S. Army Corps of Engineers manages certain private development and use of public lands and waters along the shoreline of Proctor Lake, and to compliment the 2024 Proctor Lake Master Plan Revision.

3. SUMMARY OF CHANGES: An initial public meeting was held on 19 January 2023 in Comanche, Texas to announce the revision effort and to gather public input. The draft revision was announced at a public meeting on 20 March 2024 in Comanche, followed by a 30-day comment period. The revision resulted in the preparation of updated private use guidelines and revised shoreline allocations. Changes to shoreline allocations were the result of historical uses, changes in federal regulations, public input, as well as alignment with the 2024 Proctor Lake Master Plan. The changes to the shoreline allocations from the 1976 Lakeshore Management Plan (LMP) to the 2024 SMP as are follows:

1976 Lakeshore Management Plan	2024 Shoreline Management Plan
Naming Conventions: The shoreline allocations in the 1976 Lakeshore Management Plan were Limited Development Areas, Public Recreation Areas, Protected Lakeshore Area, and Prohibited Access Areas.	**Naming Conventions:** Protected Lakeshore Areas were renamed Protected Shoreline Areas to be consistent with the name change in ER 1130-2-406, but the function remains the same. The remaining shoreline allocations and names are consistent with ER 1130-2-406 and were not changed.
Shoreline Allocation Measurements: The 1976 Lakeshore Management Plan did not include maps or provide the miles for each shoreline allocation, but rather a text description of each area.	**Shoreline Allocation Measurements:** The 2024 SMP Revision uses modern GIS technology to define and map each shoreline allocation. Because the 1976 Lakeshore Management Plan did not include details for

1976 Lakeshore Management Plan	2024 Shoreline Management Plan
	each allocation, it is impossible to directly compare/contrast the changes.
Limited Development Areas (LDA): There were no LDAs in the 1976 Lakeshore Management Plan, however, the areas with grandfathered facilities were designated as a "Restricted LDA" which was not a defined shoreline allocation in ER 1130-2-406.	**Limited Development Areas (LDA):** No LDAs were designated at Proctor Lake. Grandfathered facilities could exist in other shoreline allocations, since "Restricted LDA" is not a defined shoreline allocation per ER 1130-2-406.
Public Recreation Areas (PRA): PRAs were only located along shorelines adjacent to developed parks.	**Public Recreation Areas (PRA):** Approximately 10.4 miles of shoreline are allocated as PRA along developed parks as defined in the 2024 Master Plan.
Protected Lakeshore Areas (PLA): A majority of the shoreline was allocated as PLA, primarily those areas that were classified as Wildlife and Nature Study Areas and Aesthetic Areas of the previous MP.	**Protected Shoreline Areas (PSA):** Approximately 31.3 miles of shoreline were allocated as PSA, mostly along areas classified as Multiple Resource Management Lands in the 2024 Master Plan.
Prohibited Access Areas (PAA): The shoreline along the dam and structures were designated in the 1976 Lakeshore Management Plan as PLA.	**Prohibited Access Areas (PAA):** Approximately 1.3 miles of shoreline are allocated as PAA along the dam and structures to protect facilities and users.
The 1976 Lakeshore Management Plan included outdated information which needed to be updated or clarified.	Updated details include vegetation modification permits and requirements; fees; grandfather rights; and details for personal floating facilities including substantial repairs, requirements and permits, electricity, and removal.
Some items not included in the 1976 Lakeshore Management Plan were included in the 2024 SMP.	The SMP provided an example shoreline use permit application and conditions, dock inspection checklist, construction and maintenance standards for personal floating facilities, and standard dock plans.

a. The above changes were the result of public and stakeholder review and comment, changes in Public Law or Engineer Regulations since the implementation of the 1976 plan, and changes in land use classifications set forth in the 2024 Master Plan revision. Personal floating facility construction standards and vegetation modification criteria were included in the revised SMP. A detailed description of changes from the 1976 LMP to the 2024 SMP can be found in Appendix H of the SMP.

b. In accordance with the National Environmental Policy Act of 1969, including guidelines in 33 U.S. Code of Federal Regulations Part 230 and ER 200-2-2, Procedures for Implementing NEPA, an Environmental Assessment (EA) was prepared to assess the potential impacts that the alternative scenarios set forth in the 2024 Proctor Lake Shoreline Management Plan would have on the natural, cultural, and human environments. The EA evaluated and analyzed two

c. alternatives: a No Action Alternative (continued use of the 1976 LMP) and the implementation of the 2024 SMP. Based on the findings of the EA, the implementation of the 2024 SMP would not result in significant adverse impacts on the environment or constitute a major Federal action significantly affecting the quality of the human environment.

d. The Master Plan and E.A. have been reviewed by the Regional Planning and Environmental Center, SWF Operations, and SWF Office of Counsel. The final version of the documents went through a 30-day public and agency review. All comments from the reviews have been addressed.

4. RECOMMENDATION: The Project Delivery Team members have reviewed and approved the SMP revision. The team recommends approval by the signatory, as well as approval and signature of the Findings of No Significant Impact by the Southwestern District Commander.

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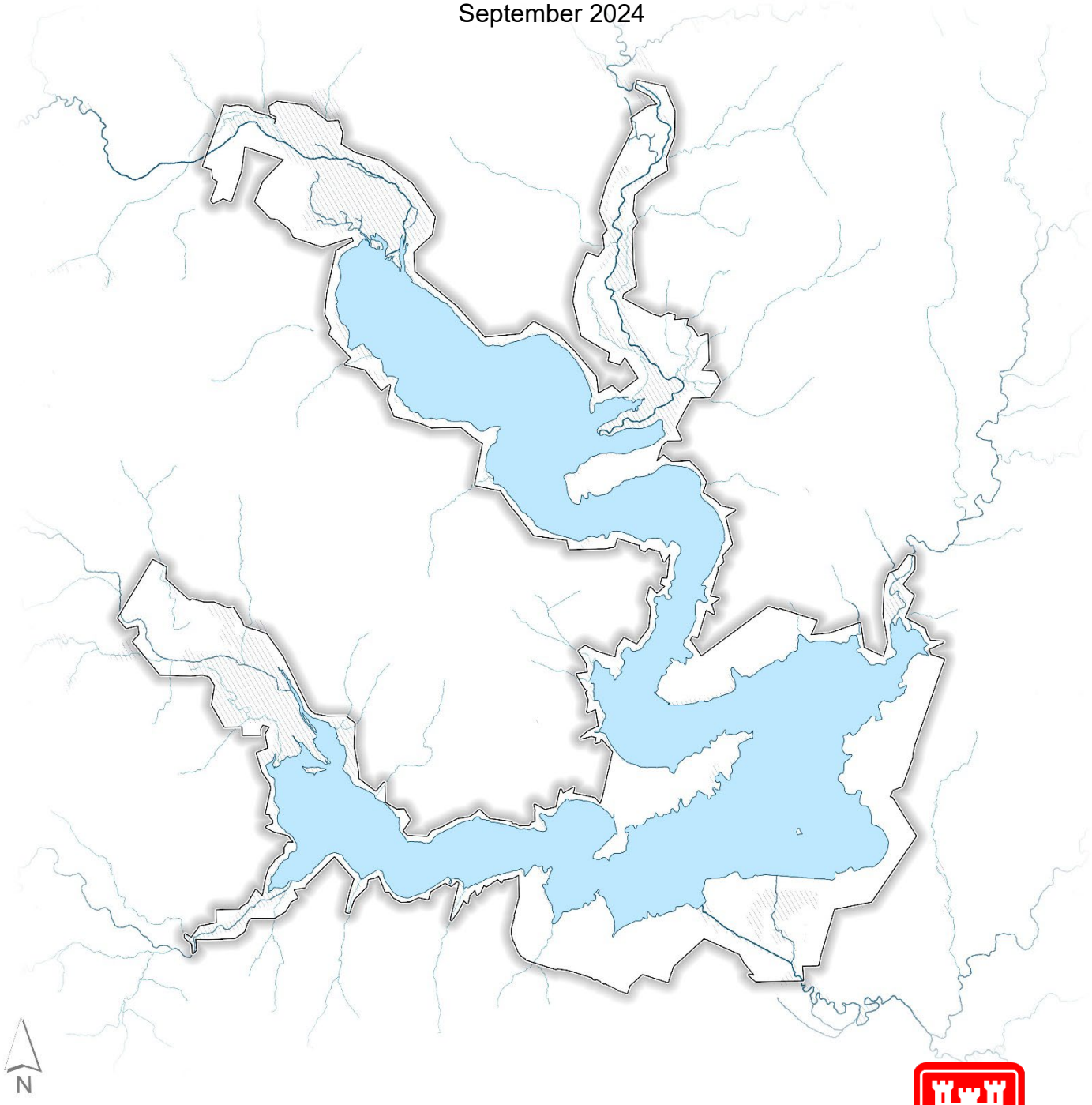
Date: 23SEPT2024

Calvin A. Kroeger
COL, EN
Commanding

PROCTOR LAKE

SHORELINE MANAGEMENT PLAN

September 2024



US Army Corps of Engineers®

SUPPORTING THE 2024 MASTER PLAN

U.S. ARMY ENGINEER DISTRICT FORT WORTH
P.O. BOX 17300
FORT WORTH, TEXAS 76102-0300

TO BE APPROVED BY THE DIVISION ENGINEER

EXECUTIVE SUMMARY

PURPOSE

The purpose of this Shoreline Management Plan (SMP), previously known as the Lakeshore Management Plan, is to establish policies and set guidelines by which the U.S. Army Corps of Engineers (USACE) manages the use of public lands and waters along the shoreline of Proctor Lake, Texas. The Shoreline Management Plan describes private exclusive uses by adjacent landowners and provides instructions, limitations, and permit application for some of those uses. Other uses may require real estate instruments in conjunction with or in lieu of shoreline use permits. It is the objective of the USACE to limit private exclusive use of public property to the degree necessary to gain maximum benefits to the general public. Such actions will consider all forms of benefits such as recreation, aesthetics, and fish and wildlife.

IMPLEMENTATION

Proctor Lake is a multi-purpose project providing flood control, water supply, fish and wildlife, and recreation on the Leon River within the larger Brazos River Watershed as described in more detail in the 2024 Master Plan (MP). The entire shoreline is allocated using one of four shoreline allocations described in more detail in Section 4: Limited Development Areas, Protected Shoreline Areas, Public Recreation Areas, and Prohibited Access Areas. Personal floating facilities (docks or boathouses) are limited only to Limited Development Areas, and per the history described in Section 2 and policies described in Section 5, no applications for new facilities will be approved.

The SMP is used in tandem with the MP to manage the project resources at Proctor Lake. This plan with the MP will be reviewed periodically and may include minor updates with those reviews. Larger revisions changing land allocation outside of those described in this SMP or having significant public interest will require additional public input in compliance with the National Environmental Protection Act.

PUBLIC INPUT

The 2024 SMP revision included public participation that included a public scoping meeting, held 19 January 2023 in Comanche, Texas with 19 people in attendance. The scoping meeting was for a combined MP and SMP and initiated a 30-day comment period. There will be an additional meeting in Comanche, Texas to release the draft MP and SMP to the public and initiate a 30-day comment period. A summary of comments from the public participation meetings and USACE responses can be found in Appendix G.

PRIMARY CHANGES FROM THE 1976 LAKESHORE MANAGEMENT PLAN

Changes to shoreline allocations were a result of the recognition of historical uses, changes in federal regulations, public input, and alignment with the 2024 Proctor Lake MP. Changes to shoreline allocations from the 1976 Lakeshore Management Plan

to the 2024 SMP are found in Appendix H. In accordance with the National Environmental Policy Act and Engineering Regulation 1130-2-406, an Environmental Assessment (EA) was prepared to evaluate impacts of the proposed action on the human environment. The EA and Finding of No Significant Impact (FONSI) are included in the SMP in Appendix I.

PROCTOR LAKE
SHORELINE MANAGEMENT PLAN

TABLE OF CONTENTS

SECTION 1: INTRODUCTION

1.1 Purpose: The Shoreline Management Plan (SMP) for Proctor Lake establishes policy and furnishes guidelines by which the U.S. Army Corps of Engineers (USACE) protects and preserves the desirable environmental characteristics of the shoreline while maintaining a balance between public and private shoreline uses. This plan is intended to develop management strategies for the review, approval, and administration of private shoreline uses on Proctor Lake, Texas. The SMP does not apply to the management and administration of public park areas, commercial concession leases, quasi-public use areas/leases and public utilities, except as specifically stated herein, or to flowage easement lands. In addition, the SMP does not address the specifics of water quality, water level management, water level changes due to flood or drought, or the operation and maintenance of project operations facilities.

1.2 Objective: The objective of the SMP is to protect and manage shorelines of all Civil Works water resource development projects under USACE jurisdiction in a manner that will promote the safe and responsible management of the shoreline and maintain environmental safeguards to ensure a quality resource for use by the public, while supporting the greater project missions. The objective of all management actions will be to achieve a balance between permitted private uses and resource protection for general public use. The following are detailed objectives at Proctor Lake:

a. To manage and protect shoreline under jurisdiction of the Chief of Engineers.
b. To establish, conserve, and maintain sustainable natural resources, including fish and wildlife habitat, and promote environmental sustainability and aesthetic quality.
c. To promote a reasonably safe and healthful environment to project visitors.
d. To provide pedestrian access to project lands and waters while maintaining the shoreline for general public use.
e. To honor past written commitments authorizing certain private uses while ensuring equitable access to and use of public property.
f. To encourage boat owners to moor their boats at commercial marinas, utilize dry storage off project lands, or to trailer their boats to commercial or public launching ramps.
g. To ensure the SMP compliments and does not contradict the Proctor Lake Master Plan.

1.3 Authority: Engineer Regulation (ER) 1130-2-406, *Shoreline Management at Civil Works Projects*, originally dated 13 December 1974, and revised in 1990, 1992, and 1999, provides specific authority and directive to implement the SMP. The regulation was published as a formal rule as Section (§) 327.30 of Title 36, Chapter III of the Code of Federal Regulations (CFR).

1.4 Applicability: Within ER 1130-2-406, and this SMP, private shoreline use (also private exclusive use) is described as any action that gives a special privilege to an individual or group of individuals on land or water at a USACE project that precludes

use of those lands and waters by the general public. The shoreline is defined as all land along the perimeter of the lake lying between and bounded by the shoreline formed at the conservation pool elevation of 1162.0 feet National Geodetic Vertical Datum (NGVD29) and the boundary of the Government fee owned land. Flowage easements were acquired in some locations which grant to USACE the right to periodically inundate land associated with the operation of the project without owning fee title to the land. The guidance in this SMP does not apply to flowage easements. This SMP establishes what and where private facilities and activities will be permitted on government property along the project shoreline. No other governmental entity has jurisdiction over the administration of the SMP at Proctor Lake. Rules and regulations applicable to shoreline management are addressed in Title 36, Chapter III, Part 327, CFR, and are enforced by the USACE.

1.5 References: The management and stewardship of lands and waters at USACE water resource development projects are guided by numerous Public Laws (PL), Executive Orders (EO), and ER that bear significantly on the shoreline management program. A comprehensive listing of these references can be found in ER 1130-2-540, *Environmental Stewardship Operations and Maintenance Policies*. A copy of ER 1130-2-540 and ER 1130-2-406 is available electronically at the USACE website at www.usace.army.mil.

- PL 91-190, National Environmental Policy Act of 1969, as amended (42 USC 4231, et seq.), 1 January 1970.
- The Clean Water Act (33 U.S.C. 1344, et seq.).
- PL 86-717, Forest Cover Act, (74 Stat. 817, 16 U.S.C. 580m et seq.), 6 September 1960.
- 16 USC. 470aa - 470mm, PL 100-588; 102 Stat. 2983, Archaeological Resources Protection Act (ARPA) of 1979, as amended.
- National Historic Preservation Act of 1966 (P.L. 89-665; 80 Stat. 915) as amended (16 USC 470 et seq.).
- PL 93-205, Endangered Species Act of 1973, as amended (87 Stat 884, 16 USC 1531(b)).
- EO 11990, Protection of Wetlands, 24 May 1977.
- EO 13112, Invasive Species, 03 February 1999.
- EO 11644, Use of Off-Road Vehicles on Public Lands, 08 February 1972.
- ER 1130-2-406, Shoreline Management at Civil Works Projects, 31 October 1990.
- ER 1130-2-540, Environmental Stewardship Operations and Maintenance Policies, 15 November 1996.
- Engineer Pamphlet (EP) 1130-2-550, Recreation Operations and Maintenance Guidance and Procedures, 15 November 1996.
- ER 1130-2-550, Recreation Operations and Maintenance Policies, 15 November 1996.

- Section 4, 1954 Flood Control Act, as amended, PL 780, 83rd Congress, 2nd Session.
- Title 36, Chapter III, Part 327, CFR, "Rules and Regulations Governing Public Use of Water Resources Development Projects Administered by the Chief of Engineers."
- The Water Resources Development Act of 1986 (P.L. 99-662).
- Executive Order 12088 (13 Oct 78).
- The Federal Water Pollution Control Act of 1972 (FWPCA).

SECTION 2: PUBLIC INVOLVEMENT AND RELATED ACTIONS

2.1 References: The management and stewardship of lands and waters at USACE water resource development projects are guided by numerous Public Laws (PL), Executive Orders (EO), and ER that bear significantly on the shoreline management program. A comprehensive listing of these references can be found in ER 1130-2-540, *Environmental Stewardship Operations and Maintenance Policies*. A copy of ER 1130-2-540 and ER 1130-2-406 is available electronically at the USACE website at www.usace.army.mil.

2.2 Shoreline Management History: USACE policy until 1976 was to encourage lake usage and development of public lands at certain areas around the lake. However, there was very little demand for private exclusive uses such as personal floating facilities (boat docks, boat houses, etc.) at Proctor Lake, with the peak number of permits for floating facilities reaching 15 in 1970. The environmental and aesthetic qualities of the lake suffered from the degradation caused by many of these structures. This situation also brought attention to the limited public access into many desirable areas of the shoreline. As of 1 November 1970, permits for private floating facilities were no longer transferable and no new permits were issued. Concurrently, efforts to improve existing conditions on the lake were started.

After several years of public and political interest, the USACE published a new regulation, ER 1130-2-406, on 13 December 1974, titled Lakeshore Management at Civil Works Projects which was republished in October 1990 as Shoreline Management at Civil Works Projects. The ER established significant new restrictions on private use of the shoreline at USACE lakes. The regulation prohibited the construction of private floating facilities (docks and boathouses) on newly constructed lakes and existing lakes with no facilities present prior to 13 December 1974. The 1976 Lakeshore Management Plan shifted the objective to eliminate private exclusive use where it might compete with the interests of the general public, while honoring existing valid permits. Public Law (PL) 97-140 and PL 99-662 made significant changes that restricted any new personal floating facilities and ensured existing facilities would be allowed to remain ("grandfathered") if they maintained a valid permit and remained in a usable and safe condition as described in Section 5.2.3.

2.3 Revision Summary: In 2023, the USACE initiated a revision of the 1976 Proctor Lake Lakeshore Management Plan. The SMP was revised to align with the 2024 Proctor Lake MP, incorporate current terminology (such as "Shoreline Management" instead of "Lakeshore Management") and to ensure compliance and compatibility with ER 1130-2-406 and ER 1130-2-540, as well as Fort Worth District policy decisions related to shoreline management. The primary reasons for the revision of the Lakeshore Management Plan is to incorporate language that supports the natural resources mission statement to "manage and conserve natural resources consistent with ecosystem management principles" as set forth in ER 1130-2-540, and align the SMP with the 2024 Proctor Lake Master Plan, all while ensuring public participation. Appendix H of this plan describes the changes made herein. In accordance with the

National Environmental Protection Act and Engineering Regulation 1130-2-406, an Environmental Assessment (EA) was prepared to evaluate impacts of the proposed action on the human environment. The EA and Finding of No Significant Impact (FONSI) are included in the SMP in Appendix I.

2.4 Public Involvement: The 2024 SMP revision included public participation that included a scoping meeting, which was combined with the MP scoping meeting, held in Comanche, Texas on January 19, 2023, with approximately 19 people in attendance. The scoping meeting initiated a 30-day comment period. There was an additional meeting in Comanche, Texas to release the draft MP and SMP to the public in Comanche, TX on March 19, 2024, which was attended by approximately 35 people and initiated a 30-day comment period. A summary of comments from the public participation meetings and USACE responses can be found in Appendix G. This plan with the MP will be reviewed periodically and may include minor updates with those reviews. Larger revisions changing land allocation outside of those described in this SMP or having significant public interest will include additional public input in compliance with the National Environmental Policy Act (NEPA).

SECTION 3: PROJECT DESCRIPTION

3.1 General: Proctor Lake was authorized by the Flood Control Act of 1954 (Public Law [PL] 780, 83rd Congress, 2nd Session) with the purposes of flood control and water supply, with the purposes of fish and wildlife and recreation being added later. Construction of the dam was started in 1961 and was completed in 1963. The entire project is located within Comanche County, Texas. Proctor Lake encompasses approximately 9,109 acres, owned in fee simple, with 4,583 acres located above the conservation pool of 1,162.0 feet NGVD29 and 4,526 acres classified as water surface located below 1,162.0 feet. There are approximately 43 miles of shoreline are located along the water surface at conservation pool.

3.2 Definitions/Terms:

3.2.1 Government Owned (Public) Land: Land that is owned in fee by the government consists of both the land where Proctor Lake is located and the surrounding property. The limits of this public land are defined by USACE boundary line, the corners of which are marked by concrete markers or monuments, each topped with a bronze cap indicating a specific tract and monument number. The boundary line may or may not be delineated by a fence. The boundary line and conservation pool represented in the maps of the SMP based on current GIS and LiDAR mapping but are subject to change based on review and audit of real estate documents and boundary markers or changes in mapping technology.

3.2.2 Flowage Easement Land: Flowage Easement Land is privately owned land on which USACE has acquired certain perpetual rights. The flowage easement estate conveys to the Government the right to periodically inundate the land for project operations purposes and to prevent human habitation on the easement or placement of fill material and changing contours in a manner that would reduce flood storage capacity. The flowage easement at Proctor Lake is generally located between the Government boundary line and the 1,200-foot contour, including tracts which contain that elevation. A complete description of the flowage easement can be found in the deed to the property. Formal written authorization and coordination with Fort Worth District Operations and Real Estate Divisions is required for placement of structures or changing of natural contours on the flowage easement. The SMP is not applicable to flowage easement lands.

3.2.3 Shoreline: The shoreline is 43 miles long at normal pool elevation of 1,162 feet above sea level (NGVD29). The upper two-thirds of the lake is very flat, and the water is shallow. This portion of the lake is unsuitable for mooring of floating facilities because one foot of vertical fluctuation can cause the water's edge to fluctuate up to 100 feet horizontally. This portion of the lake also poses great problems to waterlines since they must move their intakes long distances each season as the water level fluctuates (See Section 6.2 for information on Real Estate Instruments for waterlines). The lower one-third of the lake has sufficient gradient in many places to make the impounded water suitable for recreational activities. This area is suitable for intensive

public use, and a large portion of the shoreline area is included in developed parks. The dominant vegetation and soils along the shoreline around Proctor Lake are described in the Master Plan.

3.2.4 Present Land Use: The fee lands around Proctor Lake are managed solely by the USACE as described in the MP with the exception of two (2) boat ramps which are managed by Comanche County, Texas. Uses are described and managed according to the land classifications, goals, and objectives described in the MP.

3.2.5 Private Developments:

a. **Private Floating Facilities** – There are two (2) types of private floating facilities under permit on the lake. First are boathouses, either closed or open, designed for the mooring of boats within the confines of the outer dimensions of the facility. The second type are open flat docks used for open mooring docks beside or within which boats can tie up but subsequent use for fishing and general recreation. Both are described in more detail and with permit requirements in Section 5.

b. **Commercial Concessions** – There are currently no commercial concessions on Proctor Lake. If demand arises for commercial concessions in the future, they will be located in areas classified as High Density Recreation in the MP and subject to license and real estate instruments rather than the SMP. Areas currently classified other than High Density Recreation may be reclassified, if necessary, through the appropriate processes if necessary to support a commercial concession.

3.3 Overview: A complete description of the environmental and socioeconomic setting, as well as a brief overview of the technical flood and water supply operational factors influencing the management of natural resources and public use at the lake can be found in the project Master Plan and associated Environmental Assessment, dated March 2024, available at the project office and online at USACE, Fort Worth District website at https://www.swf.usace.army.mil/About/Lakes-and-Recreation-Information/.

3.4 Project Site Area: Project Site Areas include developed parks with intensive recreation and are typically classified as High Density Recreation in the MP. They can include concessionaire facilities, Federal, state, or similar public parks or outgrants. These Project Site Areas are associated with the shoreline allocation Public Recreation Areas as described in Section 4.4. No private shoreline use facilities and/or activities will be permitted within or near designated or developed Project Site Area. The term “near” depends on the terrain, road system, and other local conditions, so actual distance must be established on a case-by-case basis. No modification of land forms or vegetation modification by private individuals or groups of individuals are permitted in Project Site Area. The USACE operates Project Site Areas at Proctor Lake as described in the MP with the exception of two (2) boat ramps managed by Comanche County, Texas.

3.5 Commercial Concessions: There are currently no commercial concessions or establishments located at Proctor Lake. However, if demand arose for a marina or other concession, it could offer a variety of services to the general public, such as mooring of vessels, lake access, boat ramps, courtesy dock, wet slips, dry storage, boat rental, restrooms, gas, etc. USACE policy gives preference to the public use of commercial marina concessions. The SMP does not apply to the management and administration of commercial concession leases, except as specifically stated herein.

3.6 Existing Access: Vehicular access paths leading from private property to USACE fee property or private floating facilities on fee properties exist but are considered unauthorized roadways. Pursuant to Title 36, Chapter III, Part 327.2 (c), vehicles may not operate off authorized roadways on USACE fee property except at locations and times designated by the District Commander. The USACE may construct or place gates, bollards, fences, or other similar items to prevent vehicular access. The USACE maintains the right to permit, restrict, limit, or consolidate these roads for pedestrian traffic, or remove them entirely. As funds permit, the USACE will permit, consolidate, restrict, or remove these paths to balance access needs with the USACE's environmental stewardship, flood risk management, and recreation missions. The USACE is not responsible for maintaining public access to private floating facilities from unauthorized roads passing through fee property whether or not they lead from public or USACE roadways. In no case will the USACE authorize or construct a new trail or secondary road for the purpose of providing access to privately-owned floating facilities.

3.7 Private Exclusive Use: USACE guidance encourages project managers to eliminate private exclusive use of private floating facilities in areas where they compete with the interests of the general public. The USACE has determined that restricting and eliminating private floating facilities through attrition is in the best interest of the general public. However, past written commitments or valid permits will be honored as long as the existing facilities or conditions remain in the same ownership and are maintained in such a manner to meet safety standards. In addition, private exclusive use including vegetation modification permits should only be for neighboring landowners for the reasons provided in the SMP. All exclusive use of lands and waters will be by permit or outgrant instrument only.

3.8 Joint Jurisdiction: No other federal, state, or local agencies have jurisdiction over the administration of the shoreline covered in this SMP.

3.9 Cultural, Historical, Archeological, and Paleontological: The National Historic Preservation Act of 1966, Archaeological and Historic Preservation Act of 1974, and Archaeological Resources Protection Act of 1979 and amended in 1988 were provided by Congress to protect historic sites and recover historic and archeological data. Title 16 U.S.C. 470 EE Archaeological Resources Protection Act and Title 36 CFR 327.14(a) provides restrictions prohibiting the collection of archaeological or paleontological resources on USACE project lands. Title 36 CFR 327.14(a) specifically states that "destruction, injury, defacement, removal, or any alteration of public property including but not limited to, developed facilities, natural formations, mineral deposits, historical and archaeological features, paleontological resources, boundary monumentation or

markers and vegetative growth, is prohibited except when in accordance with written permission from the district commander." USACE restricts activities at the lakes that could cause harm or destroy these sensitive resources. If it is determined that a previously issued permit or license infringes upon or impacts a historic site, the permit will be rescinded.

3.10 Native American Lands and Resources: The USACE manages lands and resources as described in the MP. There are no Native American Lands described at Proctor Lake. However, Native American people have a long history of living in and around the lands comprising the Proctor Lake Project, and there exists historic and cultural resources as well as natural resources considered significant to some Native American people. The USACE will work with Tribes requesting access including, but not limited to, special access and activities permits.

SECTION 4: SHORELINE ALLOCATION AND DESCRIPTION

4.1 General: The shoreline allocations in this Plan are in accordance with criteria established in ER 1130-2-406 and align with the land classifications in the Master Plan. Details of shoreline allocation changes from the 1976 Lakeshore Management Plan can be found in Appendix H. Factors taken into consideration during the MP and SMP map development include: site size and locations, land profile, exposure to wind and currents, accessibility to the public, water depth, grade of shoreline, vegetative growth, site environment, aesthetics, and safety and security. Areas along the shoreline have been designated according to the shoreline allocations described below:

4.2 Limited Development Areas (LDA): LDAs are those areas allocated for private activities, such as vegetative modification, and/or the installation of privately-owned floating facilities such as docks and boathouses following the issuance of a permit in accordance with current Federal regulations and this SMP. All LDAs have been removed at Proctor Lake, since there are currently four (4) existing grandfathered personal floating facilities, and no new facilities will be permitted. Existing authorized shoreline use permits for docks and boathouses will be renewed provided all criteria and permit conditions are met, and the facilities remain safe and useable. Ownership of existing, permitted facilities may be transferred per the conditions of Section 5.2.6, and permits may be issued for those existing facilities to new owners at the existing location. Existing floating facilities may not be relocated to other areas of Proctor Lake. There are no LDAs along the Proctor Lake shoreline.

4.3 Protected Shoreline Areas (PSA): Protected shoreline areas are designated primarily to protect or restore aesthetic, fish and wildlife, cultural, or other environmental resources in accordance with ER 1130-2-406, the USACE Environmental Stewardship mission stated in ER 1130-2-540, and the policies of the National Environmental Policy Act of 1969 (PL-190). Shorelines may also be designated in this category for physical protection reasons, such as heavy siltation, rapid dewatering, erosion, or exposure to high wind, wave, and current action. Land access and boating are permitted along these shorelines, provided aesthetic, environmental, and natural resource values are not damaged or destroyed, but private floating facilities are not permitted in these areas. Modification of landform or vegetation by private individuals will be allowed only by permit and only after due consideration of the effects of such action on the environmental and physical characteristics of the area. Approximately 31.3 miles of shoreline are classified as protected shoreline.

4.4 Public Recreation Areas (PRA): Public Recreation Areas are those areas designated for commercial concessionaire facilities; Federal, state, or other similar public use; typically include Project Site Areas as described in Section 3.4; and are classified as High Density Recreation in the MP. These areas have controlled access for the protection of park users and resources. Private floating facilities will not be permitted in these areas. Modification of landform or vegetation by private individuals or groups will not be permitted. Quasi-public organization recreational areas, operating under lease agreements with USACE, are also zoned under this allocation. These

quasi-public areas are designated for use by organizations such as the Scouts, YMCA, and the YWCA. Floating facilities owned by the quasi-public organization and within quasi-public lease areas will be managed under the terms of the real estate agreement for the individual site. No private floating facilities are allowed in the quasi-public sites. Shoreline use permits will not be issued or authorized in areas allocated as Public Recreation Areas. Commercial concession areas are governed by the conditions contained in the concession lease and are not subject to the permit requirements of this SMP. Approximately 10.4 miles of shoreline are allocated for public recreation.

4.5 Prohibited Access Areas (PAA): Prohibited Access Areas are those in which public access is not allowed or is restricted for health, safety, or security reasons. These could include hazardous areas near dams, spillways, work areas, water intake structures, etc. No shoreline use permits will be issued in Prohibited Access Areas. Private floating facilities such as docks and/or the modification of landform and vegetation are not permitted in these areas. Approximately 1.3 miles of shoreline are allocated as prohibited access areas.

SECTION 5: SHORELINE USE PERMITS

5.1 Shoreline Use Permits: A Shoreline Use Permit is an instrument used to authorize certain uses of the shoreline in accordance with Title 36 Code of Federal Regulations (CFR) Part 327.19 and a project's SMP. Shoreline Use Permits may authorize activities such as boathouses, vegetative alteration (including mowing pedestrian paths), and other water and land use permitted activities along the shoreline on Federal property. Private shoreline use (often called private exclusive use) is defined in ER 1130-2-406 as "Any action, within the context of this rule Title [36 CFR 327.30], which gives special privilege to an individual or group of individuals on land or water at a Corps project, that precludes use of those lands or waters by the general public, is considered private shoreline use." Activities requiring Department of Army permits (such as dredging), Real Estate Instruments, or other activities not described in the SMP will require permissions and conditions outside the SMP. For information regarding the permitting process and associated fees, please refer to Section 7.

The USACE does not issue verbal approval for or changes to any private activity or facility. All approved private activities or facilities are only authorized in writing from the USACE. Shoreline Use Permits are non-transferable and become null and void upon sale or transfer of the neighboring property or permitted facility or the death of the permittee and his/her legal spouse. However, individuals purchasing or inheriting property associated with a private floating facility and a previously valid Shoreline Use Permit may apply for a new permit to continue their use of the associated facility. Before a permitted property or facility is sold, the prospective new owner must submit a Shoreline Use Permit Application (see Appendix B) and provide proof of legal land access to receive a new Shoreline Use Permit if the facility is to remain on Proctor Lake.

All Shoreline Use Permits are issued and enforced in accordance with the provisions of Title 36, Chapter III, Part 327, CFR. Non-compliance with any of the terms and conditions of a permit, general or specific, may result in termination of the permit, issuance of a Notice of Violation, and/or permanent removal of the private floating facility from the lake as described in Section 7.5.

5.2 Private Floating Facilities (Docks and Boathouses):

5.2.1 General: In this Plan, the term Private Floating Facility refers to a typical floating dock or boathouse that is currently permitted on Proctor Lake. Boathouses are generally roofed structures, enclosed or open-sided, with slips for the mooring and storage of boats within the confines of the facility. Docks are described as floating platforms with or without individual slips.

5.2.2 Existing Facilities on 13 December 1974 and 17 November 1986: In accordance with ER 1130-2-406 and Section 1134(d) of Public Law 99-662, any private floating facility or lawfully installed dock or appurtenant structures in place under a valid Shoreline Use Permit as of 13 December 1974 or 17 November 1986, cannot be forced to be removed from any federal water resources project or lake administered by the

Secretary of the Army on or after 31 December 1989, if it meets the three conditions in Section 5.2.3, except where necessary for immediate use for public purposes or higher public use for a navigation or flood control project.

5.2.3 Existing Personal Floating Facilities: Floating facilities that may not meet current SMP guidelines but were in place on and before November 17, 1986 are considered Grandfathered. Grandfathered facilities may remain provided the following conditions are met:

a. The facility must be maintained in a usable and safe condition.
b. The facility does not pose a threat to life or property.
c. The holder of the permit is in substantial compliance with the existing conditions of the permit.

If the Personal Floating Facility structures become damaged to the point where the substructure is not floating, safe, or usable; or where the substructure requires modification or replacement; then the permit will be revoked, and the facility must be removed or replaced with a new facility meeting current construction and safety standards. However, if general upkeep and maintenance to the private floating facility will not affect the substructure, then it may be repaired. No new slips can be added to existing private floating facilities, as any modifications or replacements must share the footprint of the existing facility and conform to the SMP's general requirements and minimum design standards. The facility's footprint is considered the total combined surface area of all walkways, landings, and gangways beginning at the anchor point. If the cost of repairs will exceed 50 percent (50%) of the cost of a new like structure, the repairs are considered substantial, and the facility cannot be repaired and must be replaced.

To meet the requirements for a facility to be considered to be in a usable and safe condition, the facility must be structurally sound to provide a stable walking surface and stable superstructure, must be adequately supported by flotation, must be properly anchored to prevent excessive lateral movement, must be free from loose boards or other items that could constitute tripping hazards, must be properly wired according to the National Electric Code if electric power is installed, and otherwise must be in a condition that does not present hazards to persons or other property. For complete facility maintenance and construction standards, please see Appendix E for personal floating facility and Appendix F for standard dock plans.

Grandfathered facilities that have their permits revoked for failure of meeting the above conditions will lose their status as a grandfathered facility and must be removed and shoreline condition restored to its natural condition within 60 days. Such facilities cannot be replaced or repaired.

5.2.4 Occupation and Use: The primary use of the permitted dock facility shall be limited to the mooring of the permit holder's vessel or watercraft, and the storage of gear essential to the operation of such vessel and watercraft in enclosed locker facilities. All boats or personal watercraft must be moored inside the boathouse or at the

dock facility. The permit does not convey any property rights either in real estate or material. No attempt shall be made by the permit holder to forbid the full and free use by the public of all public waters and/or lands at or adjacent to the permitted facility or to unreasonably interfere with any authorized project purpose. No items conducive to human habitation or which give the appearance of converting public property to private use is allowed. Facilities authorized under a shoreline use permit will not be leased, rented, sublet or provided to others by any means of engaging in commercial activities by the permit holder or his/her agent for monetary gain.

5.2.5 Inspection: All permitted facilities are subject to periodic inspection by a government representative. Inspections will be conducted not less than annually, and more frequently as necessary because of storms and flooding. The Lake Manager and/or a USACE representative will notify the permit holder of any deficiencies. No deviation or changes from approved plans will be permitted without prior written approval of the Lake Manager. If an inspection reveals conditions that make the boathouse unsafe, or any deviations from the approved plans, such conditions must be corrected within 30 days. If the facility is in substantial non-compliance with permit requirements or has significant deviations from the approved plans, the permit will be revoked, and the permit holder will be given 60 days to remove the facility. If the facility owner fails to remove the non-compliant facility within 60 days, the USACE will remove the facility at the owner's expense.

5.2.6 Transfer of Ownership: Shoreline Use Permits for personal floating facilities are not transferable and will become null and void upon the date of sale or other legal change of ownership of the personal floating facility and/or neighboring property adjacent to where the facility is located. Although the permit is not transferrable, transfer of ownership for personal floating facilities is allowed, and the new facility or property owner must submit a new permit application within 14 days prior to completing the transfer of ownership. Failure to notify the USACE of the transfer and submit a new permit application within 14 days prior to the transfer of ownership will be considered a violation of the terms of the shoreline use permit, and the facility must be removed, and shoreline restored to its original condition within 60 days. If the permit holder fails to remove the facility within 60 days of transfer of ownership, the USACE will remove the facility at the permit holder's expense. A relinquishment form, signed by the previous owner, is also required for a dock or boathouse transfer of ownership.

5.2.7 Personal Floating Facility (Boathouse and Dock) Specifications:

a. All boathouses permitted under this SMP shall adhere to the design standard depicted in the Maintenance and Construction Standards for personal floating facilities in Appendix E. Standard dock plans are depicted in Appendix F. Normal repairs to an existing facility that becomes unsafe or poses a hazard to the public as a result of normal wear, storm, flood, or any other event are permissible without prior authorization. Verification of standards is recommended prior to any repairs. After a permit has been issued, no alterations outside of general maintenance

may be made to any boathouses without prior approval by the Lake Manager.

b. Complete replacement of an existing facility is permissible in accordance with the Maintenance and Construction Standards for personal floating facilities in Appendix E or for standard dock plans in Appendix F, following approval by the Lake Manager. The replacement facility shall be placed in the same exact location as the removed structure and be of a similar size footprint (square footage) unless variation is authorized in writing by the Lake Manager. The facility's footprint is considered the total combined surface area of all walkways, landings, and gangways beginning at the anchor point. Designs for replacement facilities must be prepared by a licensed professional engineer and approved by the Lake Manager before construction of the replacement facility can begin.

c. Boathouses and docks shall be securely attached to the shore in accordance with the approved plan by means of mooring that does not obstruct general public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited.

d. Existing flotation material for boathouses and docks must be replaced once the material no longer supports the substructure of the facility a minimum of 8 inches above the water surface. All new and replacement flotation must be plastic encapsulated foam that meets marina industry standards.

5.3 Vegetation Alteration/Modification:

5.3.1 General: Adjacent landowners performing any and all mowing, brush clearing, dead tree removal, and all other related work on any portion of public property around Proctor Lake must first obtain written approval from the Lake Manager. Where significant wildlife habitat or scenic/aesthetic areas occur, requests for vegetation modification may be denied or additional restrictions may be included on the permit. Vegetation Modification Permits will not be issued solely for private landowners to create a view of the lake, or in situations where a fire hazard defensible space exists between public land and structures on private land. In all cases, the permit holder will avoid creating the appearance of private use of public property. Permits will not be granted adjacent to Public Recreation Areas, Prohibited Access Areas, or lands classified as Environmentally Sensitive.

Landform or vegetation modification by landowners without obtaining a permit or in violation of a permit will result in a Notice of Violation and enforced in accordance with the provisions of Title 36, Chapter III, Part 327, CFR. For more details about unauthorized activities and violations, see Section 7.5. The following conditions apply to all Vegetation Alteration/Modification Permits:

a. Only hand-held tools and small lawn maintenance equipment may be used. No tractors, bulldozers, or heavy equipment of any kind may be used unless specifically authorized by permit conditions.

b. Any special restrictions on size and species of trees or shrubs to be removed, as well as pruning limitations, will be specifically listed in the permit conditions. The allowed species, minimum and maximum width, length, and extent of the area subject to the Vegetation Modification Permit will be determined by the Lake Manager.

c. The area subject to a Vegetation Modification Permit shall be described on the permit and accompanying map and shall be in compliance with conditions set forth in this plan as well as any special conditions required by the Lake Manager.

5.3.2 Mowing and Underbrushing (including Firebreak) Permit: Adjacent landowners may request a Shoreline Use Permit for mowing and removal of underbrush where the Lake Manager determines there is a valid need to reduce the risk of damage to private property from wildfire. The USACE may grant permits to create defensible space around landowner's structures property at the Lake Manager's discretion, on a case-by-case basis. In these cases, mowing and removal of underbrush along a narrow strip of USACE land along the boundary line will be considered to maintain a 30-foot defensible space from the landowner's primary structure. In many situations, there is ample space on private land to provide for a defensible space and there is no need to approve a permit for clearing Government lands for defensible space on private property. If there is not 30 feet of defensible space on the landowner's property, the USACE may issue a permit for the necessary remaining feet on Government lands. In circumstances where endangered species habitat is present or soil erosion is occurring, mowing and removal of underbrush may not be authorized. Mowing and selective removal of vegetation may also be authorized for the purpose of controlling invasive, exotic, or noxious species.

5.3.3 Pedestrian Access Path (Pathway Permit): In Limited Development Areas (LDA) and Protected Shoreline Areas (PSA), vegetation alteration may be acceptable for the clearing of natural-surface trails to provide walking access to the shoreline. Requests will be considered by the Lake Manager on a case-by-case basis and require onsite inspection to determine the extent of conditions justifying a permit. Requests for pedestrian access from individuals with special accessibility requirements will be handled on a case-by-case basis with the intent to allow reasonable access while preventing adverse impacts to natural resources. Paths will not be allowed in Prohibited Access Areas, Public Recreation Areas, or areas where controlled public access is a necessity for security of lake visitors.

The following specific guidelines apply to pedestrian access paths:

a. Paths must be for pedestrian foot traffic only and limited to four (4) feet in width.

b. Paths must blend naturally with existing topography and vegetation.
c. Permit holders must take precautions to prevent erosion, including using meandering paths in steeper areas.
d. Paths located on government property must be open to public traffic.
e. Neighbors living in close proximity to one another may be required to share a single path.
f. Permit holders may not construct or place any structures such as steps, bridges, handrails, benches, signs, light poles, or to make any changes in landform or topography on Government lands on or along paths.
g. The permit may contain other requirements deemed necessary by the Lake Manager.

5.3.4 Hazardous Tree Cutting: If an adjacent landowner discovers a tree they believe poses a hazard to the boundary fence or private property, they should contact the Proctor Lake Office to report the suspected hazard. Removal of hazardous trees will be handled in accordance with the Fort Worth District and Three Rivers Region Hazard Tree Management Plans which are on file at the Proctor Lake Office which may include a permit.

5.3.5 Permit Duration: The term of a permit for vegetation modification will be for no more than five years. Where possible, such permits will be consolidated with other shoreline permits into a single permit. The lake manager is authorized to issue vegetation modification permits of less than five years for one-time requests or to aid in the consolidation of shoreline management permits.

5.3.6 Planting: No planting on USACE property will be permitted other than species recommended by the Project personnel which will benefit wildlife and help control erosion. The permit application must include a list of all species to be planted and a map showing locations of plantings. All permitted planting, including materials and supplies, will be at the expense of the permit holder.

5.4 Other Land and Water Uses:

5.4.1 Erosion Control Structures: Individuals may be permitted to install erosion control structures such as riprap, gabions, or other measures where bank or shoreline erosion is endangering boathouses or structures. Any erosion control structure should blend with the natural setting as much as possible. Permission to install such structures may be granted only after review and approval of plans and specifications by the Lake Manager and issuance of the proper instrument from the Fort Worth District Real Estate Division.

5.4.2 Hunting Blinds: Hunting blinds are not managed by the SMP. They may only be authorized as detailed in the Proctor Lake section of the most recent Fort Worth District Public Hunting Guide.

5.5 Prohibited Facilities and Activities:

5.5.1 Fixed Piers: Any type of fixed pier or platform extending into the water from the shoreline is prohibited.

5.5.2 Pilings or Posts: All pilings or posts driven into the lake bottom for the purpose of mooring or tying boats are prohibited.

5.5.3 Mooring Buoys or Waterway Markers: All privately owned buoys or waterway markers are prohibited.

5.5.4 Vessel Moorage: Mooring of boats or personal watercraft outside of permitted private floating facilities, courtesy dock, or marina is prohibited. Vessels of any type, when not in use, shall be removed from project lands and waters unless moored in an approved boathouse or commercial marina.

5.5.5 Burning: The burning of any materials along the shoreline by private individuals is prohibited.

5.5.6 Landform Modification: Any type of private modification, construction, or other activity that changes the original or present condition of the shoreline is prohibited.

5.5.7 Unauthorized Private Structures or Facilities: Construction or placement of personal property, portable or permanent, on the shoreline or adjacent project lands is prohibited.

SECTION 6: OTHER APPLICABLE RESOURCES

6.1 Department of the Army Permits: The USACE has broad regulatory authority pursuant to Section 404 of the Clean Water Act of 1972 and Section 10 of the Rivers and Harbors Act of 1899 to regulate the placement of dredged or fill material in certain waters and wetlands of the United States and placement of certain structures in waters that are, by definition, a navigable water of the United States. These regulatory permits generally have no relationship to Shoreline Use Permits except in rare instances where a facility that is authorized by a Shoreline Use Permit might also require a regulatory permit. Any shoreline erosion control structure located below the conservation pool elevation of 1,162.0 feet would require both a real estate instrument and a regulatory permit from the USACE. Requests for such activities must be submitted to the Lake Manager.

6.2 Real Estate Instruments: The USACE issues real estate instruments such as leases, licenses, easements, and consents to easements structures for a wide variety of activities. Leases are issued to concessionaires for marinas and to governmental entities for operation of park areas. Easements are typically granted to public utilities and governmental entities for waterlines, sewer lines, natural gas lines, electric lines, and roads. Licenses are typically granted to individuals for electrical lines, waterlines for domestic irrigation, erosion control structures, and other activities that involve a change in landform on USACE administered public lands. Consents for easement structures are issued for construction and/or improvements within the flowage easement. All commercial development activities and other activities by private or public interests on Government owned land that are not covered in this plan may be allowed only after issuance of a lease, license, or other legal grant in accordance with the requirements of ER 405-1-12, Real Estate Handbook and must comply with recreation and non-recreation outgrant policy set forth in Chapters 16 and 17 of ER 1130-2-550.

6.2.1 Electrical: A real estate license may be issued for electrical power and light service to a permitted facilities where electrical lines already exist. A written request for a new or renewal license for electric service shall be submitted in writing to the Lake Manager. All electric lines on government land shall be installed underground by a licensed electrician. The underground electrical supply installation shall be protected and controlled by a readily accessible main cut-off switch and circuit breaker, no larger than 20 amps, located on the adjacent private property, above the flowage easement line or the 1,200 feet elevation, for which the installation permit is issued. Shoreline below the 1,200 feet NGVD29 elevation is considered a wet location. All electrical components shall be installed and maintained in accordance with the National Electric Code (NEC) and the National Electrical Safety Code (NESC) conducive to wet and damp locations, and lighting installed according to dark-sky best management practices to reduce light pollution on wildlife and ecosystems. The licensee shall provide electrical certification of all components approved and signed by a licensed electrician. Applicants for existing electric line licenses are encouraged to consider solar applications that will meet the need for electrical power and eliminate the need for utility provided electric lines and meters.

At facilities where no electrical service currently exists, the facility permit holder will be limited to solar and battery systems to prevent the installation of electrical lines across USACE land. All electrical components shall be installed and maintained in accordance with the National Electric Code (NEC) and the National Electrical Safety Code (NESC) conducive to wet and damp locations, and according to best management practices for dark-sky friendly lighting to reduce light pollution on wildlife and ecosystems. The licensee shall provide electrical certification of all components approved and signed by a licensed electrician.

6.2.2 Waterlines: Requests for a new or renewal license for a waterline shall be submitted to the Lake Manager. Any approval granted will be in the form of a Real Estate Instrument and not by a shoreline use permit. The request packet must have written approval from the water purveyor (i.e. purchased water rights from the Brazos River Authority) to withdraw water from the reservoir. The use of submersible pumps for the purpose of withdrawing water for individual domestic uses at Fort Worth District Civil Works Reservoirs is prohibited. Proposed waterline installations must comply with National Environmental Policy Act requirements. Any land alteration needed to maintain the water pump and line will require a permit as described in Section 5 of this plan. Project personnel may be required to inspect the proposed installation site to determine potential damage to vegetation or obvious archeological resources. Generally, waterlines will not be allowed to hang over sheer cliffs where the line is visible when viewed from the lake. Approval will be recommended for proposed rights-of-way only when they enter the lake at a point having sufficient gradient to eliminate the need of "chasing" the water when the lake level drops a few feet. The aesthetic and safety impacts of all installations will be considered. Waterlines must not interfere with public recreational use. Where numerous waterlines exist in close proximity on sheer bluffs or badly eroded shorelines, the Lake Manager will consider consolidating these waterlines into the minimum number of intakes possible servicing multiple users. Requests for this type of license will be considered on a case-by-case basis.

6.2.3 Stairways, Elevators, and Trolleys: Proctor Lake has a gentle slope around most of the lake, and the existing personal floating facilities are accessible without stairways, elevators, or trolleys. As such, no new stairways, elevators, trolleys, or other methods of accessing personal floating facilities are necessary and will not be permitted at Proctor Lake.

SECTION 7: PERMIT ADMINISTRATION

7.1 Request for Shoreline Use Permits: In order to obtain a permit, the applicant shall submit a written request detailing the purposed shoreline use along with contact and location information for review and approval by the Lake Manager. “Application for Shoreline Use Permit", ENG 4264-R, (Appendix B) serves as the shoreline use permit issued by the Proctor Lake Project Office. Shoreline Use Permits will be managed in accordance with “Conditions of Permits for Shoreline Use” (Appendix C). Permits for private facilities are not transferable and will become null and void upon the date of sale or other legal change of ownership. See Section 5.2.6 for more information about the sale or transfer of ownership of personal floating facilities. A dock relinquishment form, signed by the previous owner, is also required for a boathouses when there is a change in ownership.

7.2 Permit Duration: Shoreline Use Permits will be issued for a five-year duration, from date issued. Temporary or short-term permits may also be issued when the nature of the proposed use requires a shorter duration. All permits will expire the last day of the month listed for expiration. A notice will be sent to the permittee forty-five (45) days prior to the expiration date by the Corps of Engineers. The permittee must then call the project office and arrange for a joint inspection of the facility during this forty-five (45) day period. Inspections will be made weekdays during normal business hours. Failure of the permittee to contact the Project Officer and arrange for the joint inspection during this forty-five (45) day period will result in the permit expiring of its own terms. If a permit expires because of no action in the forty-five (45) day period, the party who held the permit may only get a new permit by going through the procedures shown above. A responsible party, owner, or caretaker must be available locally for the duration of the permit to care for the structure and provide entrance to the structure and/or information to the USACE.

7.3 Administrative Fees: Project staff must review all applications and inspect sites where any work on public lands will be performed and are subject to periodic inspection during the life of the permit to ensure compliance with permit conditions. An administrative fee will be assessed for all dock and boathouse permits. The fee includes the processing of the permit and annual inspections of the dock. No fees will be charged for vegetation modification permits where the purpose is for safety and/or is to the benefit of the government but are subject to inspection; all other vegetation modification permits are subject to application fees and periodic inspection for compliance. Applicable fees will be charged for permits and licenses and for inspections where all other types of permits, licenses, and real estate instruments are concerned. In the event that a permit is terminated or revoked before its expiration date, no portion of the administrative fee will be prorated or returned for the unused duration of the permit. This administrative fee paid by check and money order shall be made payable to the F&A Officer, US Army District, Millington, Tennessee (USAED), Fort Worth and submitted to Proctor Lake Project Office. Only the exact amount of the fees due will be accepted.

7.4 Revocation of Permits: The District Commander may revoke shoreline use permits by a 30-day written notice, mailed to the permit holder by certified letter, whenever the public interest necessitates such revocation or when the permit holder fails to comply with any permit conditions or terms. The revocation notice shall specify the reason for such actions. If the permit holder requests a hearing in writing to the District Commander through the Lake Manager within the 30-day period, the District Commander shall grant the hearing at the earliest opportunity. In no event shall the hearing occur more than 60 days from the date of the hearing request. Following the hearing, a written decision will be rendered, and a copy mailed to the permit holder by certified mail. Upon determination of emergency circumstances, the District Commander may summarily revoke any permit.

7.5 Unauthorized Structure and Shoreline Use: Unauthorized structures or other unauthorized shoreline uses will be treated as a violation pursuant to Title 36, Chapter III, Code of Federal Regulations. Common violations include but are not limited to the following: vegetation modification without a permit; vegetation modification beyond the approved description of a valid permit; creating a path without a permit; installing waterlines and removing water without a permit and real estate instrument; moving or modifying boundary fences or monuments; installing erosion control features without a permit and real estate instrument; digging and removing of archeological, historical, or paleontological resources; grazing cattle on USACE property without a permit or license; installing structures such as sheds, benches, or lighting; etc.

7.6 Other Shoreline and Water Uses and Guidance:

Sanitation and Refuse: Sanitation facilities on project lands include trash and garbage removal from park areas on a schedule varied by park use, toilet facility types, dump stations, and other amenities. In no cases should users of recreation facilities allow sewage or garbage to be dumped outside of dedicated facilities. If such facilities are full or inoperable, users must remove all personal refuse from Government land. If commercial marinas are developed, the marinas will handle marine sanitary facilities. Toilets on floating facilities are a violation of the terms of Shoreline Use Permits and will result in cancellation of the permit. At no time should raw sewage be allowed to run across Government lands or into surface water.

Runoff from Adjoining Lands: Lands adjoining U.S. Government lands are subject to laws of the State of Texas in regard to sanitation. Adjoining landowners are responsible for garbage, sewage, runoff, and other materials that flow onto Government lands or into public waterways. Private adjoining landowners should conduct periodic inspections to ensure raw sewage, garbage, or other materials are not allowed to flow onto Government land or into public waterways.

Hunting: Specific hunting policies peculiar to the Proctor Lake will be publicized in the Proctor Lake Section of the Fort Worth District Public Hunting Guide. The general hunting policies are established by the Texas Parks and Wildlife Department and are enforced by that agency under State law and are described in more detail in the MP.

Special Use Permits: Temporary and/or revocable permits may be granted for special activities or uses including, but not limited to the following: temporary ski jumps, floats, boat moorage facilities, and other private floating recreation facilities where such facilities will not inhibit the public use or enjoyment of the project waters or shoreline. Special Use Permits will only be issued to organizations such as nonprofits, businesses, or agencies; not to individuals.

SECTION 8: CONCLUSION AND REVIEW

8.1 Conclusion: The SMP reflects changes that have occurred since the implementation of the original plan, including public laws, new environmental considerations, recreation trends, and increased development around the lake. A detailed description of changes from the 1976 to the 2024 SMP can be found in Appendix H of this Plan. The Plan has taken into consideration both the present and anticipated recreational needs of the area. Written public comments received at the public meetings and during the subsequent 30-day public comment periods are documented in Appendix G and were taken into consideration in the preparation of this plan.

8.2 Review: The Lake Manager will continually monitor the needs of the recreational users of the lake and recommend revisions that will minimize conflicts between various interests. Minor changes that would eliminate areas or reduce the size of areas designated for limited development may be approved by the District Commander and be reported to the Division Engineer on an annual basis. Changes that may result in additional or expanded limited development areas will require significant public involvement and proper documentation pursuant to the National Environmental Policy Act, normally in the form of an Environmental Assessment.

8.3 Recommendation: Approval of this plan as submitted is recommended.

APPENDIX A: SHORELINE USE MAPS

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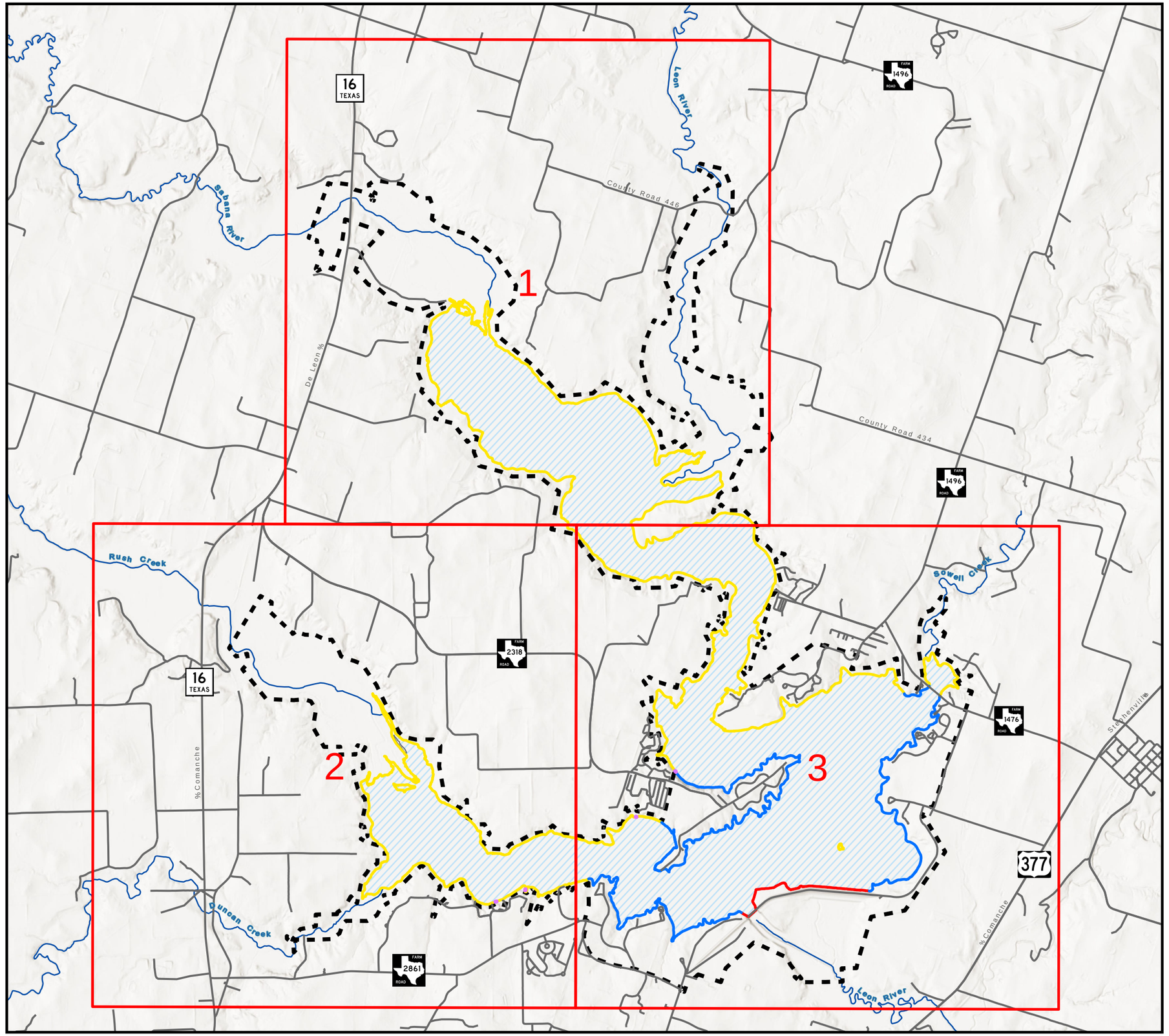
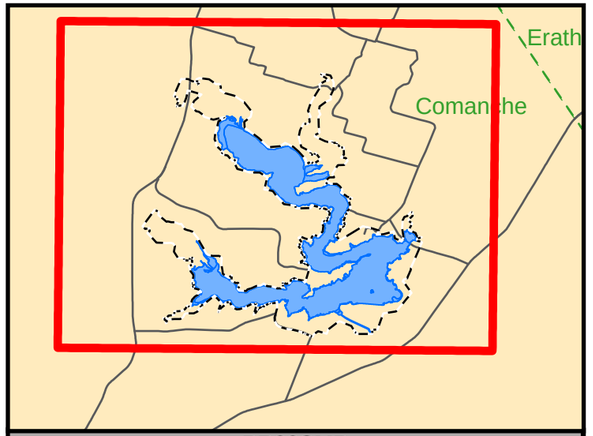




PR23SMP		
Feature	**Miles**	**Feet**
Top of Cons. Pool 1162 total	42.994169	227009.2113
Protected shoreline	31.257079	165037.377
Prohibited Shoreline	1.327351	7008.413977
Public Recreation Shoreline	10.375988	54785.21629
Limited Development Shoreline	0.033751	178.204032
TOTAL	42.994169	227009.2113

- Index Grid
- Fee Boundary
- Existing Dock Locations
- Prohibited Shoreline Protected
- Shoreline
- Public Recreation Shoreline

U.S. Army Corps of Engineers
Fort Worth District

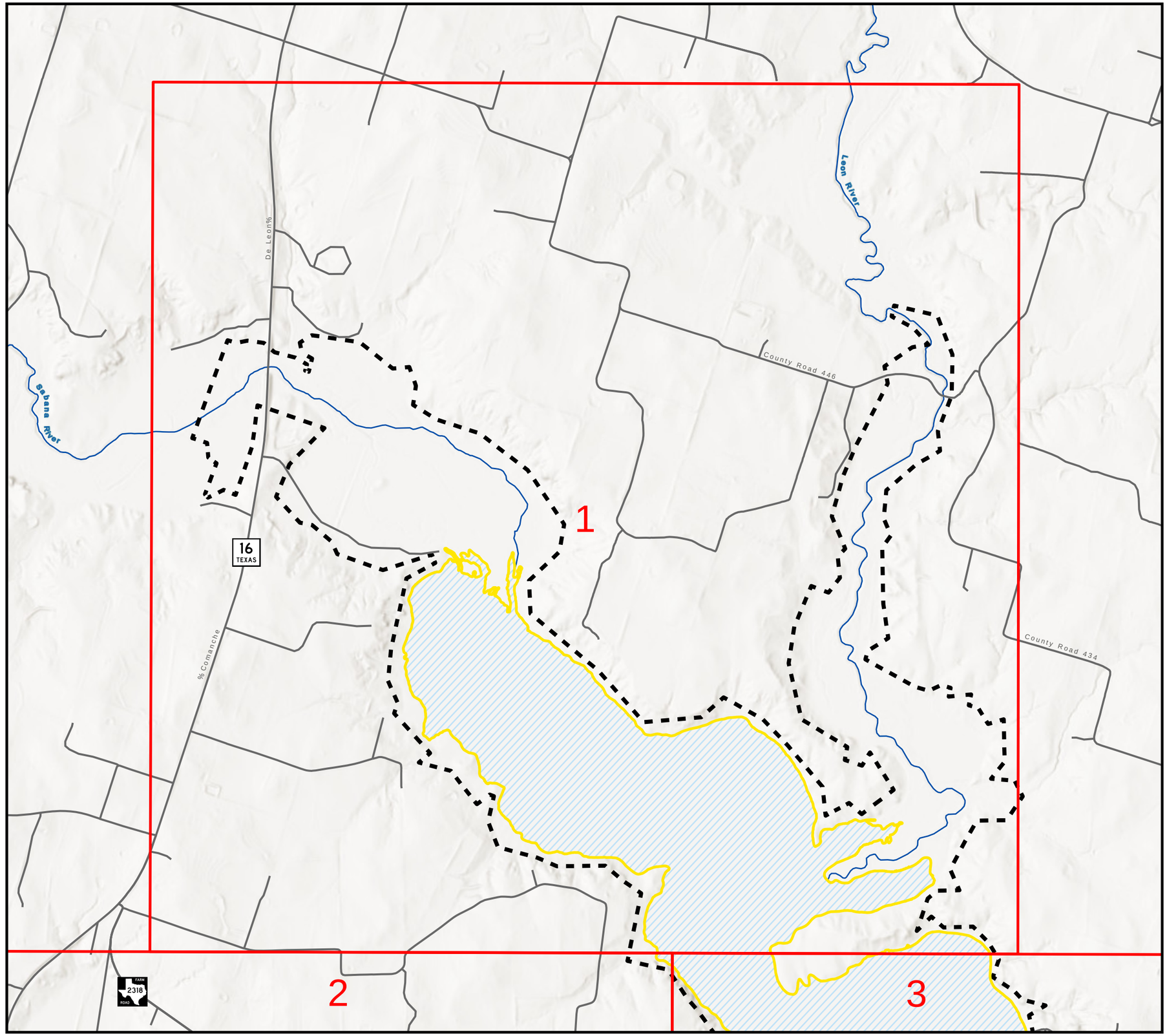
Proctor Lake

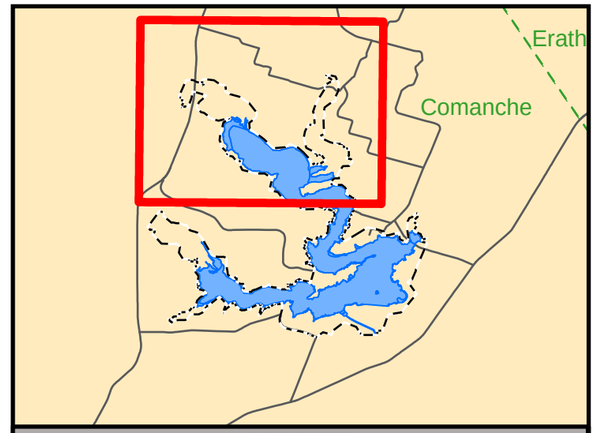
Proctor Lake
Shoreline Management Plan
Shoreline Allocations

1

0 0.5 1 2 Miles

Date:	Map No.
September 2024	PR23SMP-SL-00





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U.S. Army Corps of Engineers
Fort Worth District

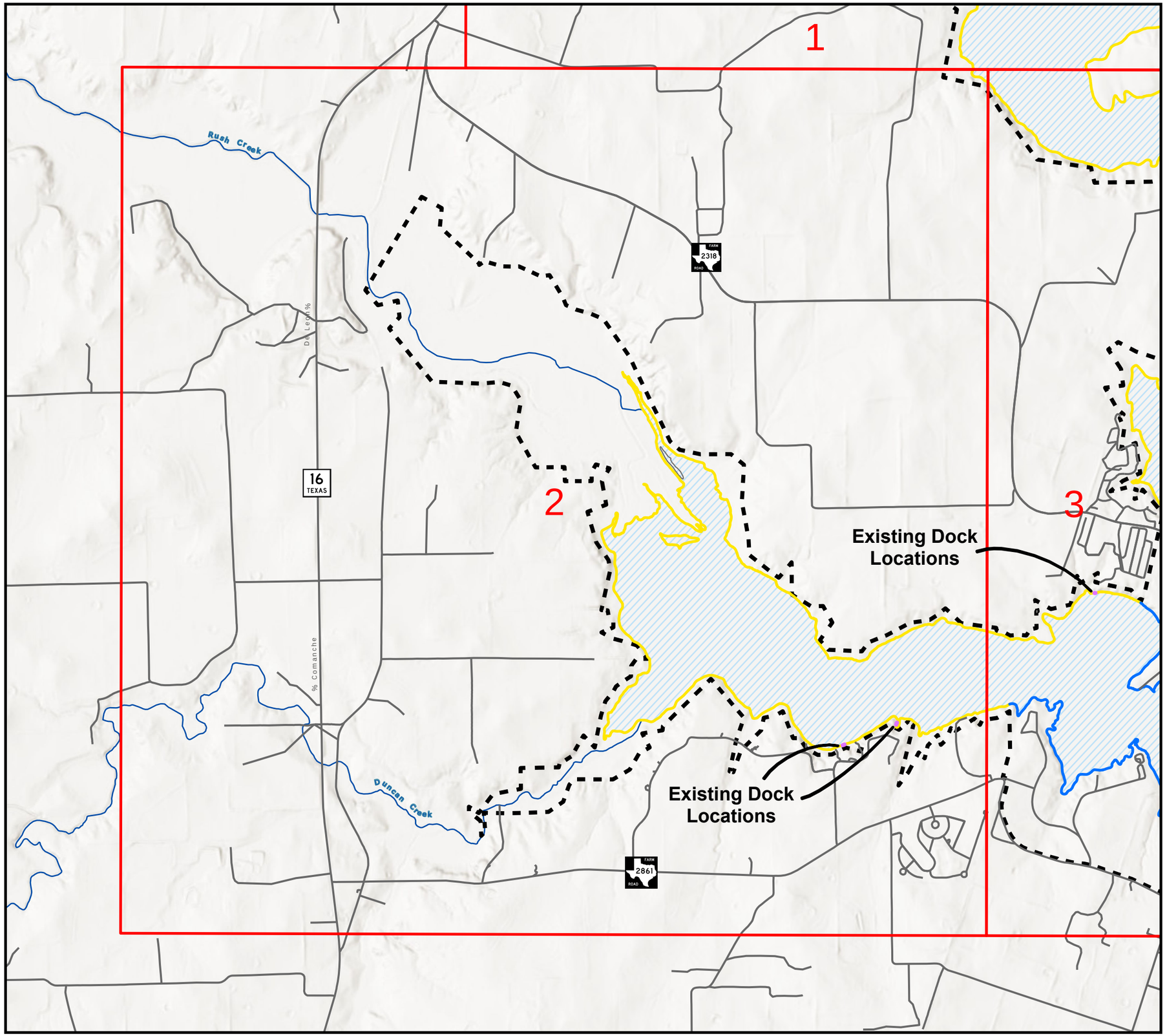
Proctor Lake

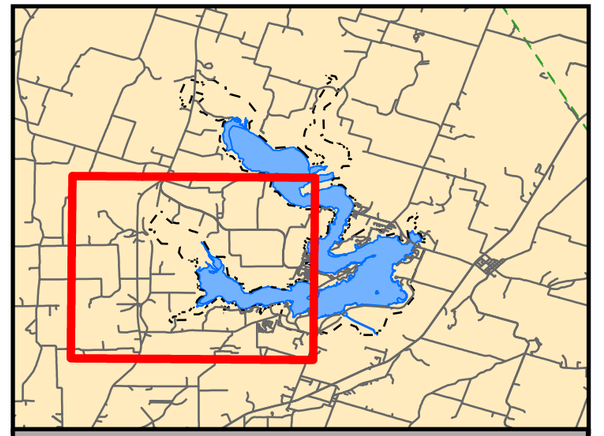
Proctor Lake
Shoreline Management Plan
Shoreline Allocations

1

0 0.25 0.5 1 Miles

Date:	Map No.
September 2024	PR23SMP-SL-01





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Index Grid

Fee Boundary

Existing Dock Locations

Prohibited Shoreline Protected

Shoreline

Public Recreation Shoreline

U.S. Army Corps of Engineers
Fort Worth District

Proctor Lake

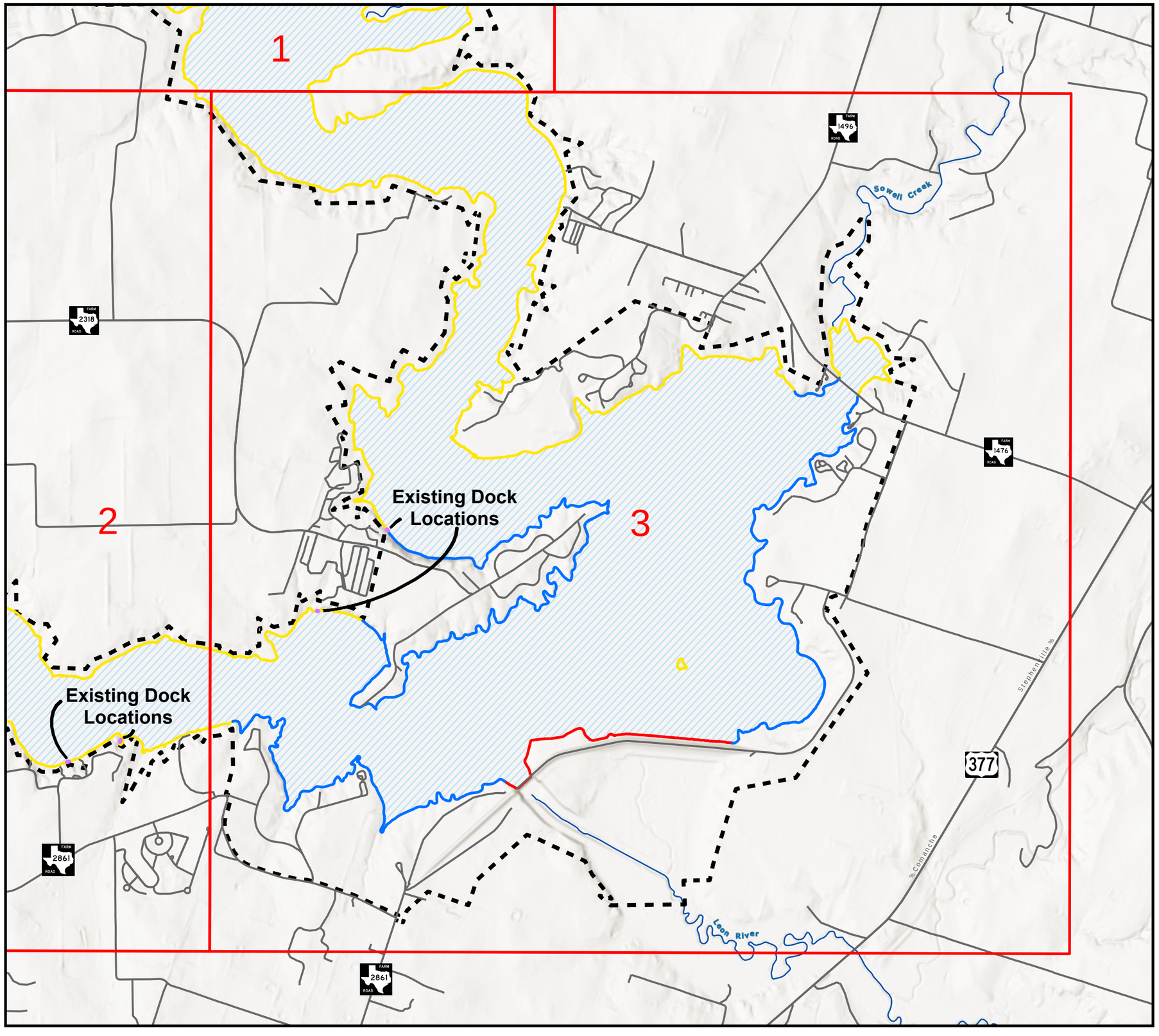
Proctor Lake
Shoreline Management Plan
Shoreline Allocations

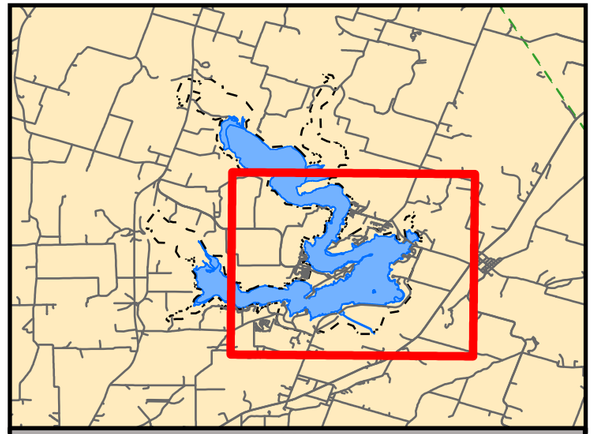
1

0 0.25 0.5 1 Miles

Date:
September 2024

Map No.
PR23SMP-SL-02





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- Index Grid
- Fee Boundary
- Existing Dock Locations
- Prohibited Shoreline Protected
- Shoreline
- Public Recreation Shoreline

U.S. Army Corps of Engineers
Fort Worth District

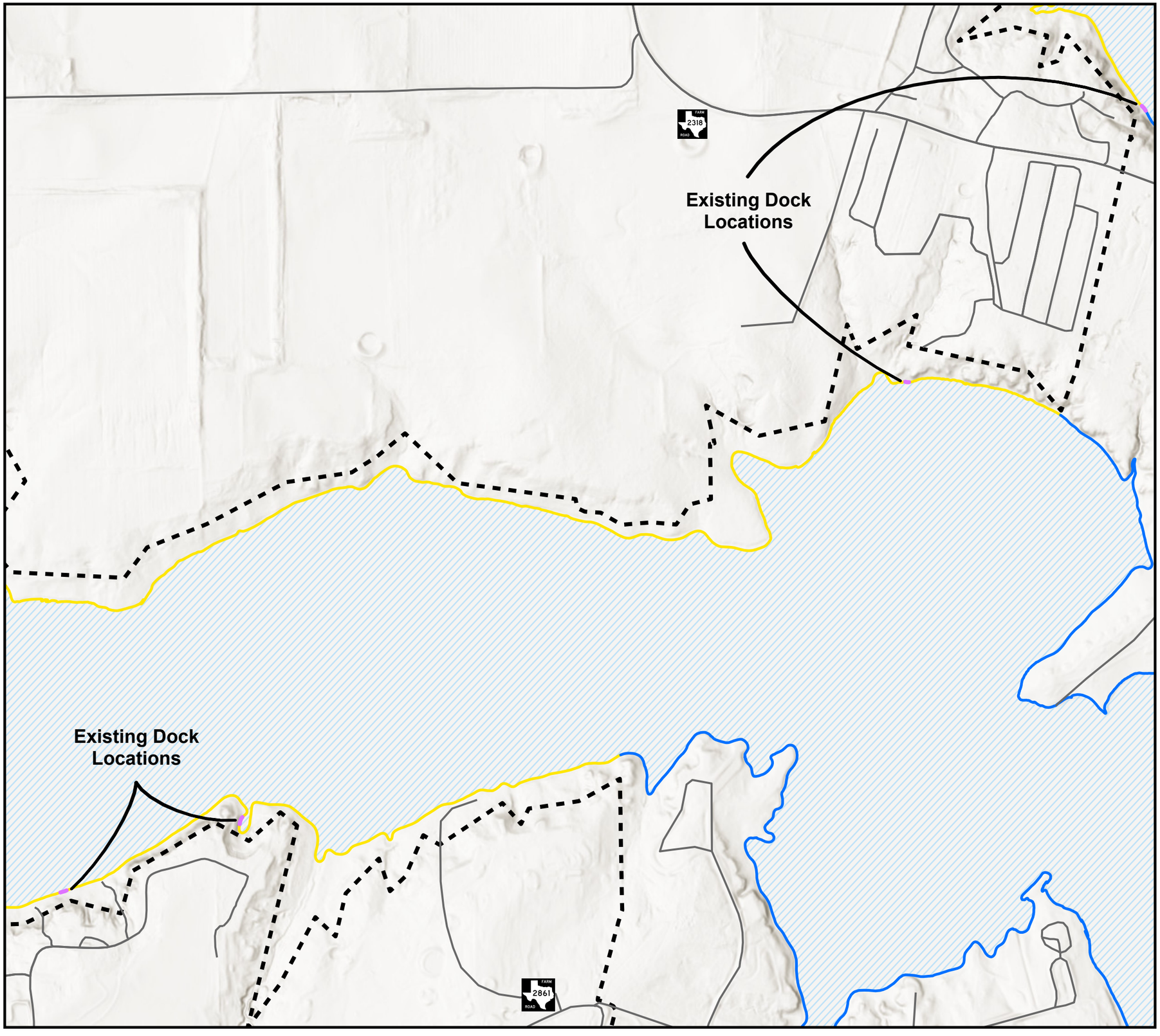
Proctor Lake

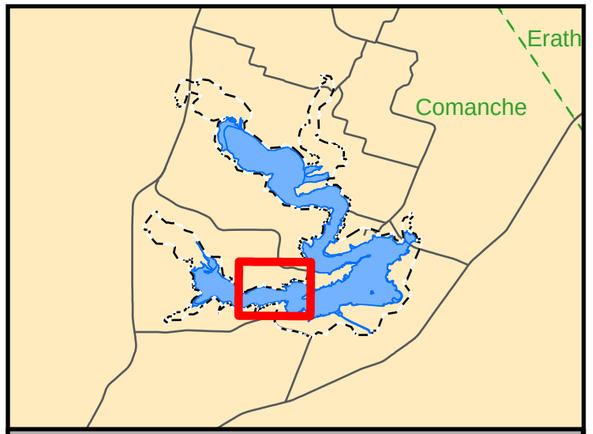
Proctor Lake
Shoreline Management Plan
Shoreline Allocations

1

0 0.25 0.5 1 Miles

Date:	Map No.
September 2024	PR23SMP-SL-03





PR23SMP		
Feature	**Miles**	**Feet**
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Limited Development Shoreline	0.033751	178.204032
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Fee Boundary

Existing Dock Locations

Prohibited Shoreline Protected

Shoreline

Public Recreation Shoreline

U.S. Army Corps of Engineers
Fort Worth District

Proctor Lake

Proctor Lake
Shoreline Management Plan
Shoreline Allocations
(Existing Dock Locations)

1

0 350 700 1,400 US Feet

Date:	Map No.
September 2024	PR23SMP-SL-04

APPENDIX B: APPLICATION FOR SHORELINE USE PERMIT

Attached: ENG FORM 4264-R

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APPLICATION FOR SHORELINE USE PERMIT

(ER 1130-2-406)

(See reverse side for Privacy Act Statement)

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

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

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

WATER-BASE		LAND-BASE	
☐ SINGLE-OWNER DOCK	☐ SKI JUMP	☐ UNDERBRUSHING	☐ MOWING
☐ COMMUNITY DOCK	☐ SKI COURSE	☐ PLANT /LANDSCAPING	☐ FOOT PATH
☐ MOORING BUOY	☐ SWIM FLOAT	☐ EROSION CONTROL	
☐ MOORING POST	☐ DUCK BLIND		

☐ OTHER *(Describe)* _____

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

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

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

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

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

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

(DO NOT WRITE BELOW THIS LINE)

PERMIT

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

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

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

DATA REQUIRED BY THE PRIVACY ACT OF 1974

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

APPENDIX C: SHORELINE USE PERMIT CONDITIONS

Attached: ER 1130-2-406 APPENDIX C

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CECW-ON Engineer Regulation 1130-2-406	Department of the Army U.S. Army Corps of Engineers Washington, DC 20314-1000	ER 1130-2-406 31 October1990/ 28 May 1999
	Project Operation SHORELINE MANAGEMENT AT CIVIL WORKS PROJECTS	
	Distribution Restriction Statement Approved for public release; distribution is unlimited.	

DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
Washington, D.C. 203 14-1000

ER 1130-2-406
Change 2

CECW-ON

Regulation
No. 1130-2-406

28 May 1999

Project Operation
SHORELINE MANAGEMENT AT CIVIL WORKS PROJECTS

1. This change 2 to ER 1130-2-406, 3 1 October 1990, and change 1, 14 September 1992, revises the guidelines for special conditions on permits, Guideline 2.c.(9) of Appendix A and corrects dock and mooring buoy flotation standards, Condition 14 of Appendix C.

2. Substitute pages indicated below:

Appendix	Remove pages	Insert pages
A	A-3, A-4 and A-5	A-3 and A-4
C	C-3 and C-4	C-3 and C-4

3. File this change sheet in front of the publication for reference purposes.

FOR THE COMMANDER:

RUSSELL L. FUHRMAN
Major General, USA
Chief of Staff

Regulation
No. 1130-2-406

14 September 1992

Project Operation
SHORELINE MANAGEMENT AT CIVIL WORKS PROJECTS

1. This change 1 to ER 1130-2-406, 31 October 1990, corrects dock and mooring buoy floatation standards, Condition 14 of Appendix C.

2. Substitute pages indicated below:

Appendix	Remove pages	Insert pages
C	C-3 and C-4	C-3 and C-4

3. File this change sheet in front of the publication for reference purposes.

FOR THE COMMANDER:

MILTON HUNTER
Colonel, Corps of Engineers
Chief of Staff

DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
CECW-ON Washington, D. C. 20314-1000

Regulation
No. 1130-2-406 31 October 1990

Project Operation
SHORELINE MANAGEMENT AT CIVIL WORKS PROJECTS

1. Purpose. The purpose of this regulation is to provide policy and guidance on management of shorelines of Civil Works projects where 36 CFR Part 327 is applicable.

2. Applicability. This regulation is applicable to HQUSACE/OCE elements, major subordinate commands, districts, laboratories, and all field operating activities (FOA) with Civil Works responsibilities except when such application would result in an impingement upon existing Indian rights.

3. References.

a. Section 4, 1944 Flood Control Act, as amended (16 USC 460d).

b. The Rivers and Harbors Act of 1894, as amended and supplemented (33 USC 1).

c. Section 10, River and Harbor Act of 1899 (33 USC 403).

d. National Historic Preservation Act of 1966 (P.L. 89-665; 80 Stat. 915) as amended (16 U.S.C. 470 et seq.).

e. The National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.).

f. The Clean Water Act (33 U.S.C. 1344, et seq.).

g. The Water Resources Development Act of 1986 (P.L. 99-662).

h. 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."

i. Executive Order 12088 (13 Oct 78).

j. 33 CFR 320-330, "Regulatory Programs of the Corps of Engineers."

k. ER 1130-2-400, "Management of Natural Resources and Outdoor Recreation at Civil Works Water Resource Projects."

This Regulation Supersedes ER 1130-2-406 dated 13 Dec 74

1. EM 385-1-1, "Safety and Health Requirements Manual."

4. Policy.

a. It is the policy of the Chief of Engineers to protect and manage shorelines of all Civil Works water resource development projects under Corps jurisdiction in a manner which will promote the safe and healthful use of these shorelines by the public while maintaining environmental safeguards to ensure a quality resource for use by the public. The objectives of all management actions will be to achieve a balance between permitted private uses and resource protection for general public use. Public pedestrian access to and exit from these shorelines shall be preserved. For projects or portions of projects where Federal real estate interest is limited to easement title only, management actions will be appropriate within the limits of the estate acquired.

b. Private shoreline uses may be authorized in designated areas consistent with approved use allocations specified in Shoreline Management Plans. Except to honor written commitments made prior to publication of this regulation, private shoreline uses are not allowed on water resource projects where construction was initiated after December 13, 1974, or on water resource projects where no private shoreline uses existed as of that date. Any existing permitted facilities on these projects will be grandfathered until the facilities fail to meet the criteria set forth in paragraph 8.

c. A Shoreline Management Plan, as described in paragraph 5, will be prepared for each Corps project where private shoreline use is allowed. This plan will honor past written commitments. The plan will be reviewed at least once every five years and revised as necessary. Shoreline uses that do not interfere with authorized project purposes, public safety concerns, violate local norms, or result in significant environmental affects should be allowed unless the public participation process identifies problems in these areas. If sufficient demand exists, consideration should be given to revising the shoreline allocations (e.g., increases/decreases). Maximum public participation will be encouraged as set forth in paragraph 5f. Except to honor written commitments made prior to publication of this regulation, shoreline management plans are not required for those projects where construction was initiated after December 13, 1974, or on projects not having private shoreline use as of that date. In that case, a statement of policy will be developed by the district commander to present the shoreline management policy. This policy statement will be subject to the approval of

the division commander. For projects where two or more agencies have jurisdiction, the plan will be cooperatively prepared with the Corps as coordinator.

d. Where commercial or other public launching and/or moorage facilities are not available within a reasonable distance, group owned mooring facilities may be allowed in Limited Development Areas to limit the proliferation of individual facilities. Generally only one permit will be necessary for a group owned mooring facility with that entity, if incorporated, or with one person from the organization designated as the permittee and responsible for all moorage spaces within the facility. No charge may be made for use of any permitted facility by others nor shall any commercial activity be engaged in thereon.

e. The issuance of a private shoreline use permit does not convey any real estate or personal property rights or exclusive use rights to the permit holder. The public's right of access and use of the permit area must be maintained and preserved. Owners of permitted facilities may take necessary precautions to protect their property from theft, vandalism or trespass, but may in no way preclude the public right of pedestrian or vessel access to the water surface or public land adjacent to the facility.

f. Shoreline Use Permits will only be issued to individuals or groups with legal right of access to public lands.

5. Shoreline Management Plan.

a. General. The policies outlined in paragraph 4 will be implemented through preparation of Shoreline Management Plans, where private shoreline use is allowed.

b. Preparation. A Shoreline Management Plan is prepared as part of the Operational Management Plan. A moratorium on accepting applications for new permits may be placed in effect from the time an announcement of creation of a plan or formal revision of a plan is made until the action is completed.

c. Approval. Approval of Shoreline Management Plans rests with division commanders. After approval, one copy of each project Shoreline Management Plan will be forwarded to HQUSACE (CECW-ON) WASH DC 20314-1000. Copies of the approved plan will also be made available to the public.

d. Scope and Format. The Shoreline Management Plan will consist of a map showing the shoreline allocated to the uses listed in paragraph 5.e., related rules and regulations, a

discussion of what areas are open or closed to specific activities and facilities, how to apply for permits and other information pertinent to the Corps management of the shoreline. The plan will be prepared in sufficient detail to ensure that it is clear to the public what uses are and are not allowed on the shoreline of the project and why. A process will be developed and presented in the Shoreline Management Plan that prescribes a procedure for review of activities requested but not specifically addressed by the Shoreline Management Plan.

e. Shoreline Allocation. The entire shoreline will be allocated within the classifications below and delineated on a map. Any action, within the context of this regulation, which gives a special privilege to an individual or group of individuals on land or water at a Corps project, that precludes use of those lands and waters by the general public, is considered to be private shoreline use. Shoreline allocations cover that land and/or water extending from the edge of the water and waterward with the exception of allocations for the purpose of vegetation modification which extends landward to the project boundary. These allocations should compliment, but certainly not contradict, the land classifications in the project master plan. A map of sufficient size and scale to clearly display the shoreline allocations will be conspicuously displayed or readily available for viewing in the project administration office and will serve as the authoritative reference. Reduced or smaller scale maps may be developed for public dissemination but the information contained on these must be identical to that contained on the display map in the project administration office. No changes will be made to these maps except through the formal update process. District commanders may add specific constraints and identify areas having unique characteristics during the plan preparation, review, or updating process in addition to the allocation classifications described below.

(1) Limited Development Areas. Limited Development Areas are those areas in which private facilities and/or activities may be allowed consistent with paragraph 8 and Appendix A. Modification of vegetation by individuals may be allowed only following the issuance of a permit in accordance with Appendix A. Potential low and high water conditions and underwater topography should be carefully evaluated before shoreline is allocated as Limited Development Area.

(2) Public Recreation Areas. Public Recreation Areas are those areas designated for commercial concessionaire facilities, Federal, state or other similar public use. No private shoreline use facilities and/or activities will be permitted within or near designated or developed public recreation areas. The term "near"

depends on the terrain, road system, and other local conditions, so actual distances must be established on a case by case basis in each project Shoreline Management Plan. No modification of land forms or vegetation by private individuals or groups of individuals is permitted in public recreation areas.

(3) Protected Shoreline Areas. Protected Shoreline Areas are those areas designated to maintain or restore aesthetic, fish and wildlife, cultural, or other environmental values. Shoreline may also be so designated to prevent development in areas that are subject to excessive siltation, erosion, rapid dewatering, or exposure to high wind, wave, or current action and/or in areas in which development would interfere with navigation. No Shoreline Use Permits for floating or fixed recreation facilities will be allowed in protected areas. Some modification of vegetation by private individuals, such as clearing a narrow meandering path to the water, or limited mowing, may be allowed only following the issuance of a permit if the resource manager determines that the activity will not adversely impact the environment or physical characteristics for which the area was designated as protected. In making this determination the affect on water quality will also be considered.

(4) Prohibited Access Areas. Prohibited Access Areas are those in which public access is not allowed or is restricted for health, safety or security reasons. These could include hazardous areas near dams, spillways, hydro-electric power stations, work areas, water intake structures, etc. No shoreline use permits will be issued in Prohibited Access Areas.

f. Public Participation. District commanders will ensure public participation to the maximum practicable extent in Shoreline Management Plan formulation, preparation and subsequent revisions. This may be accomplished by public meetings, group workshops, open houses or other public involvement techniques. When master plan updates and preparation of the Shoreline Management Plans are concurrent, public participation may be combined and should consider all aspects of both plans, including shoreline allocation classifications. Public participation will begin during the initial formulation stage and must be broad-based to cover all aspects of public interest. The key to successful implementation is an early and continual public relations program. Projects with significant numbers of permits should consider developing computerized programs to facilitate exchange of information with permittees and to improve program efficiency. Special care will be taken to advise citizen and conservation organizations; Federal, state and local natural resource management agencies; Indian Tribes; the media; commercial concessionaires; congressional liaisons; adjacent

landowners and other concerned entities during the formulation of Shoreline Management Plans and subsequent revisions. Notices shall be published prior to public meetings to assure maximum public awareness. Public notices shall be issued by the district commander allowing for a minimum of 30 days for receipt of written public comment in regard to the proposed Shoreline Management Plan or any major revision thereto.

g. Periodic Review. Shoreline Management Plans will be reviewed periodically, but no less often than every five years, by the district commander to determine the need for update. If sufficient controversy or demand exists, consideration should be given, consistent with other factors, to a process of reevaluation of the shoreline allocations and the plan. When changes to the Shoreline Management Plan are needed, the plan will be formally updated through the public participation process. Cummulative environmental impacts of permit actions and the possibility of preparing or revising project NEPA documentation will be considered. District commanders may make minor revisions to the Shoreline Management Plan when the revisions are consistent with policy and funds for a complete plan update are not available. The amount and type of public involvement needed for such revision is at the discretion of the district commander.

6. Instruments for Shoreline Use. Instruments used to authorize private shoreline use facilities, activities or development are as follows:

a. Shoreline Use Permits.

(1) Shoreline Use Permits are issued and enforced in accordance with provisions of 36 CFR Part 327.19.

(2) Shoreline Use Permits are required for private structures/activities of any kind (except boats) in waters of Civil Works projects whether or not such waters are deemed navigable and where such waters are under the primary jurisdiction of the Secretary of the Army and under the management of the Corps of Engineers.

(3) Shoreline Use Permits are required for non-floating structures on waters deemed commercially non-navigable, when such waters are under management of the Corps of Engineers.

(4) Shoreline Use Permits are also required for land vegetation modification activities which do not involve disruption to land form.

(5) Permits should be issued for a term of five years to reduce administration costs. One year permits should be issued only when the location or nature of the activity requires annual reissuance.

(6) Shoreline Use Permits for erosion control may be issued for the life or period of continual ownership of the structure by the permittee and his/her legal spouse.

b. Department of the Army Permits. Dredging, construction of fixed structures, including fills and combination fixed-floating structures and the discharge of dredged or fill material in waters of the United States will be evaluated under authority of Section 10, River and Harbor Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344). Permits will be issued where appropriate.

c. Real Estate Instruments. Commercial development activities and activities which involve grading, cuts, fills, or other changes in land form, or establishment of appropriate land-based support facilities required for private floating facilities, will continue to be covered by a lease, license or other legal grant issued through the appropriate real estate element. Shoreline Management Plans should identify the types of activities that require real estate instruments and indicate the general process for obtaining same. Shoreline Use Permits are not required for facilities or activities covered by a real estate instrument.

7. Transfer of Permits. Shoreline Use Permits are non-transferable. They become null and void upon sale or transfer of the permitted facility or the death of the permittee and his/her legal spouse.

8. Existing Facilities Now Under Permit. Implementation of a Shoreline Management Plan shall consider existing permitted facilities and prior written Corps commitments implicit in their issuance. Facilities or activities permitted under special provisions should be identified in a way that will set them apart from other facilities or activities.

a. Section 6 of Public Law 97-140 provides that no lawfully installed dock or appurtenant structures shall be required to be removed prior to December 31, 1989, from any Federal water resources reservoir or lake project administered by the Secretary of the Army, acting through the Chief of Engineers, on which it was located on December 29, 1981, if such property is maintained in usable condition, and does not occasion a threat to life or property.

b. In accordance with Section 1134(d) of Public Law 99-662, any houseboat, boathouse, floating cabin or lawfully installed dock or appurtenant structures in place under a valid shoreline use permit as of November 17, 1986, cannot be forced to be removed from any Federal water resources project or lake administered by the Secretary of the Army on or after December 31, 1989, if it meets the three conditions below except where necessary for immediate use for public purposes or higher public use or for a navigation or flood control project:

(1) such property is maintained in a usable and safe condition;

(2) such property does not occasion a threat to life or property;

(3) and, the holder of the permit is in substantial compliance with the existing permit.

c. All such floating facilities and appurtenances will be formally recognized in an appropriate Shoreline Management Plan. New permits for these permitted facilities will be issued to new owners. If the holder of the permit fails to comply with the terms of the permit, it may be revoked and the holder required to remove the structure, in accordance with the terms of the permit as to notice, time, and appeal.

9. Facility Maintenance. Permitted facilities must be operated, used and maintained by the permittee in a safe, healthful condition at all times. If determined to be unsafe, the resource manager will establish, together with the permittee a schedule, based on the seriousness of the safety deficiency, for correcting the deficiency or having it removed, at the permittee's expense. The applicable safety and health prescriptions in EM 385-1-1 should be used as a guide.

10. Density of Development. The density of private floating recreation facilities will be established in the Shoreline Management Plan for all portions of Limited Development Areas consistent with ecological and aesthetic characteristics and prior written commitments. The facility density in Limited Development Areas should, if feasible, be determined prior to the development of adjacent private property. The density of facilities will not be more than 50 per cent of the Limited Development Area in which they are located. Density will be measured by determining the linear feet of shoreline as compared to the width of facilities plus associated moorage arrangements which restrict the full unobstructed use of that portion of the shoreline. When a Limited Development Area or a portion of a

Limited Development Area reaches maximum density, notice should be given to the public and facility owners in that area that no additional facilities will be allowed. In all cases, sufficient open area will be maintained for safe maneuvering of watercraft. Docks should not extend out from the shore more than one-third of the width of a cove at normal recreation or multipurpose pool. In those cases where current density of development exceeds the density level established in the Shoreline Management Plan, the density will be reduced to the prescribed level through attrition.

11. Permit Fees. Fees associated with the Shoreline Use Permits shall be paid prior to issuing the permit in accordance with the provisions of Section 4 of the 1944 Flood Control Act. The fee schedule will be published separately.

FOR THE COMMANDER:

ALBERT J. GENETTI, JR.
Colonel, Corps of Engineers
Chief of Staff

4 APPENDICES
APP A - Guidelines for Granting Shoreline Use Permits
APP B - Application for Shoreline Use Permit
APP C - Shoreline Use Permit Conditions
APP D - Permit (Sample)

APPENDIX A

GUIDELINES FOR GRANTING SHORELINE USE PERMITS

1. General.

a. Decisions regarding permits for private floating recreation facilities will consider the operating objectives and physical characteristics of each project. In developing Shoreline Management Plans, district commanders will give consideration to the effects of added private boat storage facilities on commercial concessions for that purpose. Consistent with established policies, new commercial concessions may be alternatives to additional limited development shoreline.

b. Permits for individually or group owned shoreline use facilities may be granted only in Limited Development Areas when the sites are not near commercial marine services and such use will not despoil the shoreline nor inhibit public use or enjoyment thereof. The installation and use of such facilities will not be in conflict with the preservation of the natural characteristics of the shoreline nor will they result in significant environmental damage. Charges will be made for Shoreline Use Permits in accordance with the separately published fee schedule.

c. Permits may be granted within Limited Development Areas for ski jumps, floats, boat moorage facilities, duck blinds, and other private floating recreation facilities when they will not create a safety hazard and inhibit public use or enjoyment of project waters or shoreline. A Corps permit is not required for temporary ice fishing shelters or duck blinds when they are regulated by a state program. When the facility or activity is authorized by a shoreline use permit, a separate real estate instrument is generally not required.

d. Group owned boat mooring facilities may be permitted in Limited Development Areas where practicable (e.g., where physically feasible in terms of access, water depths, wind protection, etc.).

2. Applications for Shoreline Use Permits.

a. Applications for private Shoreline Use Permits will be reviewed with full consideration of the policies set forth in this and referenced regulations, and the Shoreline Management Plan. Fees associated with the Shoreline Use Permit shall be

paid prior to issuing the permit. Plans and specifications of the proposed facility shall be submitted and approved prior to the start of construction. Submissions should include engineering details, structural design, anchorage method, andconstruction materials; the type, size, location and ownership of the facility; expected duration of use; and an indication of willingness to abide by the applicable regulations and terms and conditions of the permit. Permit applications also shall identify and locate any land-based support facilities and any specific safety considerations.

b. Permits will be issued by the district commander or his/her authorized representative on ENG Form 4264-R (Application for Shoreline Use Permit) (Appendix B). Computer generated forms may be substituted for ENG Form 4264-R provided all information is included. The computer generated form will be designated, "ENG Form 4264-R-E, Oct 87 (Electronic generation approved by USACE, Oct 87)".

c. The following are guides to issuance of Shoreline Use Permits:

(1) Use of boat mooring facilities, including piers and boat (shelters) houses, will be limited to vessel or watercraft mooring and storage of gear essential to vessel or watercraft operation.

(2) Private floating recreation facilities, including boat mooring facilities shall not be constructed or used for human habitation or in a manner which gives the appearance of converting Federal public property on which the facility is located to private, exclusive use. New docks with enclosed sides (i.e. boathouses) are prohibited.

(3) No private floating facility will exceed the minimum size required to moor the owner's boat or boats plus the minimum size required for an enclosed storage locker for oars, life preservers and other items essential to watercraft operation. Specific size limitations may be established in the project Shoreline Management Plan.

(4) All private floating recreation facilities including boat mooring facilities will be constructed in accordance with plans and specifications, approved by the resource manager, or a written certification from a licensed engineer, stating the facility is structurally safe will accompany the initial submission of the plans and specifications.

(5) Procedures regarding permits for individual facilities shall also apply to permits for non-commercial group mooring facilities.

(6) Facilities attached to the shore shall be securely anchored by means of moorings which do not obstruct the free use of the shoreline, nor damage vegetation or other natural features. Anchoring to vegetation is prohibited.

(7) Electrical service and equipment leading to or on private mooring facilities must not pose a safety hazard nor conflict with other recreational use. Electrical installations must be weatherproof and meet all current applicable electrical codes and regulations. The facility must be equipped with quick disconnect fittings mounted above the flood pool elevation. All electrical installations must conform to the National Electric Code and all state, and local codes and regulations. In those states where electricians are licensed, registered, or otherwise certified, a copy of the electrical certification must be provided to the resource manager before a Shoreline Use Permit can be issued or renewed. The resource manager will require immediate removal or disconnection of any electrical service or equipment that is not certified (if appropriate), does not meet code, or is not safely maintained. All new electrical lines will be installed underground. This will require a separate real estate instrument for the service right-of-way. Existing overhead lines will be allowed, as long as they meet all applicable electrical codes, regulations and above guidelines, to include compatibility and safety related to fluctuating water levels.

(8) Private floating recreation facilities will not be placed so as to interfere with any authorized project purposes, including navigation, or create a safety or health hazard.

* (9) The district commander or his/her authorized representative may place special conditions on the permit when deemed necessary. Requests for waivers of shoreline management plan permit conditions based on health conditions will be reviewed on a case by case basis by the Operations Manager. Efforts will be made to reduce onerous requirements when a limiting health condition is obvious or when an applicant provides a doctor's certification of need for conditions which are not obvious. *

(10) Vegetation modification, including but not limited to, cutting, pruning, chemical manipulation, removal or seeding by private individuals, are allowed only in those areas designated as Limited Development Areas or Protected Shoreline Areas. An existing (as of February 1, 1989) vegetation modification permit, within a shoreline allocation which normally would not allow vegetation modification, should be grandfathered. Permittees will not create the appearance of private ownership of public lands.

(11) The term of a permit for vegetation modification will be for five years. Where possible, such permits will be consolidated with other shoreline management permits into a single permit. The district commander is authorized to issue vegetation modification permits of less than five years for one-time requests or to aid in the consolidation of shoreline management permits.

(12) When issued a permit for vegetative modification, the permittee will delineate the government property line, as surveyed and marked by the government, in a clear but unobtrusive manner approved by the district commander and in accordance with the project Shoreline Management Plan and the conditions of the permit. Other adjoining owners may also delineate the common boundary subject to these same conditions. This delineation may include, but is not limited to, boundary plantings and fencing. The delineation will be accomplished at no cost to the government.

(13) No permit will be issued for vegetation modification in Protected Shoreline Areas until the environmental impacts of the proposed modification are assessed by the resource manager and it has been determined that no significant adverse impacts will result. The effect of the proposed modification on water quality will also be considered in making this determination.

(14) The original of the completed permit application is to be retained by the permittee. A duplicate will be retained in the resource manager's office.

3. Permit Revocation. Permits may be revoked by the district commander when it is determined that the public interest requires such revocation or when the permittee fails to comply with terms and conditions of the permit, the Shoreline Management Plan, or of this regulation. Permits for duck blinds and ice fishing shelters will be issued to cover a period not to exceed 30 days prior to and 30 days after the season.

4. Removal of Facilities. Facilities not removed when specified in the permit or when requested after termination or revocation of the permit will be treated as unauthorized structures pursuant to 36 CFR Part 327.20.

5. Posting of Permit Number. Each district will procure 5" x 8" or larger printed permit tags of light metal or plastic for posting. The permit display tag shall be posted on the facility and/or on the land area covered by the permit, so that it can be visually checked, with ease in accordance with instructions provided by the resource manager. Facilities or activities permitted under special provisions should be identified in a way that will set them apart from other facilities or activities.

APPLICATION FOR SHORELINE USE PERMIT

(ER 1130-2-406)

(See reverse side for Privacy Act Statement)

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

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

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

WATER-BASE		LAND-BASE	
☐ SINGLE-OWNER DOCK	☐ SKI JUMP	☐ UNDERBRUSHING	☐ MOWING
☐ COMMUNITY DOCK	☐ SKI COURSE	☐ PLANT / LANDSCAPING	☐ FOOT PATH
☐ MOORING BUOY	☐ SWIM FLOAT	☐ EROSION CONTROL	
☐ MOORING POST	☐ DUCK BLIND		

☐ OTHER *(Describe)* _____

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

FOR ILLUSTRATION PURPOSES ONLY

(Local reproduction authorized - blank masters available from local FMO)

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

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

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

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

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

(DO NOT WRITE BELOW THIS LINE)

PERMIT

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

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

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

ENG FORM 4264-R, Oct 90 EDITION OF 1 DEC 74 IS OBSOLETE (Proponent: CECW-ON)

DATA REQUIRED BY THE PRIVACY ACT OF 1974

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

Reverse of ENG Form 4264-R, Oct 90

APPENDIX C
SHORELINE USE PERMIT CONDITIONS

1. This permit is granted solely to the applicant for the purpose described on the attached permit.

2. The permittee agrees to and does hereby release and agree to save and hold the Government harmless from any and all causes of action, suits at law or equity, or claims or demands or from any liability of any nature whatsoever for or on account of any damages to persons or property, including a permitted facility, growing out of the ownership, construction, operation or maintenance by the permittee of the permitted facilities and/or activities.

3. Ownership, construction, operation, use and maintenance of a permitted facility are subject to the Government's navigation servitude.

4. No attempt shall be made by the permittee to forbid the full and free use by the public of all public waters and/or lands at or adjacent to the permitted facility or to unreasonably interfere with any authorized project purposes, including navigation in connection with the ownership, construction, operation or maintenance of a permitted facility and/or activity.

5. The permittee agrees that if subsequent operations by the Government require an alteration in the location of a permitted facility and/or activity or if in the opinion of the district commander a permitted facility and/or activity shall cause unreasonable obstruction to navigation or that the public interest so requires, the permittee shall be required, upon written notice from the district commander to remove, alter, or relocate the permitted facility, without expense to the Government.

6. The Government shall in no case be liable for any damage or injury to a permitted facility which may be caused by or result from subsequent operations undertaken by the Government for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage. This includes any damage that may occur to private property if a facility is removed for noncompliance with the conditions of the permit.

7. Ownership, construction, operation, use and maintenance of a permitted facility and/or activity are subject to all applicable Federal, state and local laws and regulations. Failure to abide

by these applicable laws and regulations may be cause for revocation of the permit.

8. This permit does not convey any property rights either in real estate or material; and does not authorize any injury to private property or invasion of private rights or any infringement of Federal, state or local laws or regulations, nor does it obviate the necessity of obtaining state or local assent required by law for the construction, operation, use or maintenance of a permitted facility and/or activity.

9. The permittee agrees to construct the facility within the time limit agreed to on the permit issuance date. The permit shall become null and void if construction is not completed within that period. Further, the permittee agrees to operate and maintain any permitted facility and/or activity in a manner so as to provide safety, minimize any adverse impact on fish and wildlife habitat, natural, environmental, or cultural resources values and in a manner so as to minimize the degradation of water quality.

10. The permittee shall remove a permitted facility within 30 days, at his/her expense, and restore the waterway and lands to a condition accepted by the resource manager upon termination or revocation of this permit or if the permittee ceases to use, operate or maintain a permitted facility and/or activity. If the permittee fails to comply to the satisfaction of the resource manager, the district commander may remove the facility by contract or otherwise and the permittee agrees to pay all costs incurred thereof.

11. The use of a permitted boat dock facility shall be limited to the mooring of the permittee's vessel or watercraft and the storage, in enclosed locker facilities, of his/her gear essential to the operation of such vessel or watercraft.

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

13. Facilities granted under this permit will not be leased, rented, sub-let or provided to others by any means of engaging in commercial activity(s) by the permittee or his/her agent for monetary gain. This does not preclude the permittee from selling total ownership to the facility.

* 14. Floats and the flotation material for all docks and boat mooring buoys shall be fabricated of materials manufactured for marine use. The float and its flotation material shall be 100% warranted for a minimum of 8 years against sinking, becoming waterlogged, cracking, peeling, fragmenting, or losing beads. All floats shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. All floats and the flotation material used in them shall be fire resistant. Any float which is within 40 feet of a line carrying fuel shall be 100% impervious to water and fuel. The use of new or recycled plastic or metal drums or non-compartmentalized air containers for encasement or floats is prohibited. Existing floats are authorized until it or its flotation material is no longer serviceable, at which time it shall be replaced with a float that meets the conditions listed above. For any floats installed after the effective date of this specification, repair or replacement shall be required when it or its flotation material no longer performs its designated function or it fails to meet the specifications for which it was originally warranted.

*

15. Permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. The resource manager will notify the permitter of any deficiencies and together establish a schedule for their correction. No deviation or changes from approved plans will be allowed without prior written approval of the resource manager.

16. Floating facilities shall be securely attached to the shore in accordance with the approved plans by means of moorings which do not obstruct general public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited.

17. The permit display tag shall be posted on the permitted facility and/or on the land areas covered by the permit so that it can be visually checked with ease in accordance with instructions provided by the resource manager.

18. No vegetation other than that prescribed in the permit will be damaged, destroyed or removed. No vegetation of any kind will be planted, other than that specifically prescribed in the permit.

19. No change in land form such as grading, excavation or filling is authorized by this permit.

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

21. By 30 days written notice, mailed to the permittee by certified letter, the district commander may revoke this permit whenever the public interest necessitates such revocation or when the permittee fails to comply with any permit condition or term. The revocation notice shall specify the reasons for such action. If the permittee requests a hearing in writing to the district

commander through the resource manager within the 30 day period, the district commander shall grant such hearing at the earliest opportunity. In no event shall the hearing date be more than 60 days from the date of the hearing request. Following the hearing, a written decision will be rendered and a copy mailed to the permittee by certified letter.

22. Notwithstanding the condition cited in condition 21 above, if in the opinion of the district commander, emergency circumstances dictate otherwise, the district commander may summarily revoke the permit.

23. When vegetation modification on these lands is accomplished by chemical means, the program will be in accordance with appropriate Federal, state and local laws, rules and regulations.

24. The resource manager or his/her authorized representative shall be allowed to cross the permittee's property, as necessary, to inspect facilities and/or activities under permit.

25. When vegetation modification is allowed, the permitter will delineate the government property line in a clear, but unobtrusive manner approved by the resource manager and in accordance with the project Shoreline Management Plan.

26. If the ownership of a permitted facility is sold or transferred, the permittee or new owner will notify the Resource Manager of the action prior to finalization. The new owner must apply for a Shoreline Use Permit within 14 days or remove the facility and restore the use area within 30 days from the date of ownership transfer.

27. If permitted facilities are removed for storage or extensive maintenance, the resource manager may require all portions of the facility be removed from public property.

APPENDIX D

Permit (Sample)

Permit 01234 Expires 30 Nov. 1987

This Permit is Non-Transferrable and May be Revoked at Any Time

US Army Corps
of Engineers

APPENDIX D: PRIVATE DOCK INSPECTION CHECKLIST

Attached: CESWF FORM 1150

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U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

BOATHOUSE OR BOAT DOCK INSPECTION CHECKLIST

For use of this form, see ER 1130-2-406, ER 1130-2-314 and EM 1110-2-410; the proponent agency is CESWF-OD.

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (*5 U.S.C. 552a*)

AUTHORITY: 10 U.S.C. Section 3012.

PRINCIPAL PURPOSE*(s)***:** To conduct boathouse and boat dock inspections and note deficiencies.

ROUTINE USES: COE employees who have a need for such information in the performance of their duties for the purpose of inspecting boathouses and boat docks will use the information. Information will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations of prosecutions; or pursuant to a request by a Federal agency or such other agency in connection with hiring, firing, or retention of an employee, the issuance of a security clearance, the investigation of an employee, the letting of contract, or the issuance of a license, grant, or other benefit; or pursuant to a request from Congressional Officer. Record may be disclosed to another DoD component for personnel action, security actions, criminal investigations or other lawful functions; the information may be disclosed to OMB for review of private relief legislation (Circular A-19) or may be disclosed to foreign law enforcement, security, investigating or administrative authorities; and all blanket routine uses at Volume 48, Federal Register 25779-25780, June 6, 1983.

MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL NOT PROVIDING INFORMATION: Failure to provide any part of the requested information will prevent processing of the application and issuance of an activity permit.

1. BOATHOUSE OR DOCK OWNER (*Last, First MI*)	2. PERMIT NUMBER
3. OWNER ADDRESS (*Post Office Box or Street, City, State and Zip Code*)	4. TELEPHONE NUMBER
5. INSPECTOR (*Last, First MI)*	6. INSPECTION DATE *(YYYYMMDD)*

NOTE: CHECK PERSON LISTED ON PERMIT AS BEING AVAILABLE ON SHORT NOTICE WITH A SET OF KEYS TO THE PERMITTED FACILITY.

7. NAME (*Last, First MI*)	8. TELEPHONE NUMBER	9. ADDRESS (*Post Office Box or Street, City, State and Zip Code*)

SECTION I - CHECKLIST

ITEM	YES	NO	N/A
1. POSTING OF PERMIT.			
a. IS PERMIT NUMBER POSTED ON LANDSIDE WITH 3-INCH NUMBERS?	☐	☐	☐
b. IS PERMIT NUMBER POSTED ON LAKESIDE WITH 3-INCH NUMBERS?	☐	☐	☐
c. ARE NUMBERS SERVICEABLE AND LEGIBLE?	☐	☐	☐
d. IS PERMIT POSTED INSIDE STRUCTURE?	☐	☐	☐
2. PLANS.			
a. DOES DOCK MATCH PLANS ON PERMIT FILE?	☐	☐	☐
3. ANCHORAGE.			
a. ARE ATTACHING CABLES SERVICEABLE?	☐	☐	☐
b. SERVICEABLE CONDITION OF CABLE ATTACHING POINTS?	☐	☐	☐
c. CHECK OF DEAD-MAN CABLES NOT ATTACHED TO TREES?	☐	☐	☐
d. ARE SERVICEABLE STIFF ARMS AND ATTACHMENTS HARDWARE?	☐	☐	☐
e. ARE MOORING PILING, POLES AND COLLARS SECURE?	☐	☐	☐
4. WALKWAYS.			
a. ARE WALKWAYS IN A SAFE AND USABLE CONDITION?	☐	☐	☐
b. ARE 2" X 6" OR EQUIVALENT STRENGTH USED?	☐	☐	☐
c. IS LUMBER FREE OF ROT, SPLITS OR PROTRUDING NAILS?	☐	☐	☐

ITEM	YES	NO	N/A
d. ARE WALKWAYS FREE FROM EXCESSIVE SPRING, DEFLECTION, OR LATERAL MOVEMENT?	☐	☐	☐
e. ARE WALKWAYS AT LEAST 3 FEET WIDE, EXCEPT BETWEEN SLIPS WHERE A MINIMUM WIDTH IS 2 FEET?	☐	☐	☐
f. IS WALKWAY APPROACH FREE OF WEEDS AND OBSTRUCTIONS?	☐	☐	☐
5. HANDRAILS.			
a. ARE HANDRAILS STRUCTURALLY SOUND, IN GOOD REPAIR AND 2" X 4" OR EQUIVALENT STRENGTH?	☐	☐	☐
b. IS HANDRAIL 42 INCHES IN HEIGHT, WITH GUARDRAIL 20 INCHES BELOW HANDRAIL?	☐	☐	☐
6. SUPERSTRUCTURE.			
a. HAVE ALL MAJOR WOOD AND STEEL CONNECTIONS BEEN CHECKED TO INSURE THEY ARE SECURE TO RESIST MOVEMENT THAT WOULD TEND TO DISMANTLE STRUCTURE? (*encourage chain link fence, not walls*).	☐	☐	☐
b. CHECK FOR NEAT ORDERLY APPEARANCE OF STRUCTURE.	☐	☐	☐
7. ROOF.			
a. ROOF WILL BE SECURELY FASTENED TO THE SUPERSTRUCTURE TO RESIST WIND UPLIFT BY USE OF STEEL PLATES, METAL STRAPS, OR			

ITEM	YES	NO	N/A	ITEM	YES	NO	N/A
a. PLYWOOD GUSSETS. (*Continuation previous page*).	☐	☐	☐	d. IS VENTILATION PRESENT FOR FLAMMABLE LIQUIDS?	☐	☐	☐
8. METAL FINISH.				12. FIRE PROTECTION.			
a. DOES ALL METAL PRESENT A NEAT APPEARANCE, NO EXCESSIVE RUST OR DAMAGE?	☐	☐	☐	a. ARE FIRE EXTINGUISHERS PRESENT (*ABC dry chemical 10lb*)?	☐	☐	☐
b. IF PAINTED, DOES IT NEED TOUCH-UP PAINT?	☐	☐	☐	b. ON DOCKS OVER 50 LINEAR FEET, ARE FIRE EXTINGUISHERS PRESENT EVERY 50 FEET?	☐	☐	☐
9. FLOTATION.							
a. IS FLOTATION IN APPLIANCE WITH ER 1130-2-406 APPENDIX C-3?	☐	☐	☐	c. DO FIRE EXTINGUISHERS HAVE DATE OF LAST INSPECTION TAGS AND ARE THEY INSPECTED AT LEAST QUARTERLY?	☐	☐	☐
b. DOES THE DESIGN LOAD LIFT THE STRUCTURE AT LEAST 8 INCHES ABOVE THE WATER SURFACE?	☐	☐	☐				
c. IS FLOTATION ADEQUATE TO MAINTAIN A STABILIZED AND SAFE DOCK AND OR WALKWAY?	☐	☐	☐	13. ENCLOSURES. *(chain link fencing may be provided in all areas of the perimeter not subjected to frequent loading and unloading of personnel).*			
10. ELECTRICAL.				a. IS CHAIN LINK FENCING IN A STATE OF GOOD REPAIR?	☐	☐	☐
a. ARE ELECTRICAL PLANS ON FILE?	☐	☐	☐				
b. IS ELECTRICAL CUT OFF SWITCH ABOVE FLOWAGE EASEMENT MEAN SEA LEVEL (*MSL*)?	☐	☐	☐	b. DOES SIDING PRESENT A NEAT APPEARANCE AND CONDITION?	☐	☐	☐
c. ARE CURRENT ELECTRICAL INSPECTION CERTIFICATES OF FILE? (*Electrical must meet marine requirements) g(2)* OVERHEAD?	☐	☐	☐	14. SHORELINE.			
d. ANY FRAYED OR WORN CONDITIONS?	☐	☐	☐	a. IS MOWING INCLUDED WITH PERMIT ON FILE?	☐	☐	☐
e. ARE RECEPTACLES GROUND FAULT CIRCUIT INTERRUPTERS (*GFCI*) TYPE?	☐	☐	☐	b. IS CLEAR OF LANDFORM CHANGES?	☐	☐	☐
f. IS LOCATION OF BREAKER BOX, ON SITE?	☐	☐	☐	c. IS CLEAR OF ANY VEGETATION DAMAGE?	☐	☐	☐
g. LOCATION OF WIRE CABLE FROM POLE TO STRUCTURE.				d. IS CLEAR OF ANY DEBRIS OR PRIVATE PROPERTY ON FEE PROPERTY?	☐	☐	☐
(1) BURIED?	☐	☐	☐				
(2) IS AREA SAFE FROM IMMEDIATE ELECTRICAL HAZARDS?	☐	☐	☐	e. IS SHORELINE KEEP IN A NEAT AND UNCLUTTERED APPEARANCE?	☐	☐	☐
11. SECURITY LOCKER / STORAGE ROOM.				15. LIVING ACCOMMODATIONS.			
a. LOCKER SHALL BE IN A STATE OF GOOD REPAIR.	☐	☐	☐	a. ARE ANY ITEMS CONDUCTIVE TO HUMAN HABITATION PRESENT? (*i.e. refrigerator, air conditioners, cooking facilities, heating facilities, tv, telephone, toilet facilities, shower facilities.)*	☐	☐	☐
b. WILL ONLY ITEMS FOR BOAT BE STORED IN LOCKER?	☐	☐	☐				
c. DO STORAGE ROOMS HAVE GAS AND BATTERIES SEPARATED?	☐	☐	☐				

16. REMARKS / SUMMARY

ACKNOWLEDGMENT OF INSPECTION

17a. INSPECTOR (*Last, First MI*)	b. DATE *(YYYYMMDD)*	c. INSPECTOR'S SIGNATURE
18a. BOATHOUSE / DOCK OWNER (*Last, First MI*)	b. DATE *(YYYYMMDD)*	c. BOATHOUSE / DOCK OWNER'S SIGNATURE

APPENDIX E: MAINTENANCE AND CONSTRUCTION STANDARDS FOR PERSONAL FLOATING FACILITIES (DOCKS AND BOATHOUSES)

E.1 Inspection: Inspections will be conducted not less than annually, and more frequently as necessary because of storms and flooding. The USACE is not required to notify permit holders prior to an inspection of a private floating facility. The Lake Manager and/or a USACE representative will notify the permit holder of any deficiencies and establish a timeline for correction. Unless authorized in writing, failure to comply with these standards within 30 days after any inspection will result in the revocation of the permit. The permit holder shall remove a permitted facility within 60 days, at permit holder's expense. Failure to remove the structure within 30 days will result in impoundment and removal by the Government or by contract, and the permit holder pays all the cost incurred.

E.2 Posting of Permit: Permit holders shall affix a placard listing their permit number with 3-inch lettering that can be easily read from the landside or the lakeside. A copy of the permit shall also be posted inside the personal floating facility.

E.3 Grandfathered Facilities: According to Section 1134(d) of Public Law 99-662 (Water Resources Development Act of 1986), the USACE could not remove personal floating facilities (boat docks and boathouses) lawfully installed on USACE reservoirs by the date the legislation was enacted (November 17, 1986) if the property (1) is maintained in a usable and safe manner, (2) does not pose a threat to life or property, or (3) remains in substantial compliance with the existing lease or license. Grandfathered facilities that comply with these three requirements may continue to exist at Proctor Lake. Grandfathered facilities do not have to follow the entirety of this Standard, except where it pertains to safety, outlined in the document "U.S. Army Corps of Engineers, Fort Worth District Boathouse or Boat Dock Inspection Checklist" (Appendix D).

If a grandfathered facility becomes damaged to the point where the substructure is not floating, safe, or usable, the facility must be removed and replaced. Replacing or significantly modifying a grandfathered boathouse or boat dock requires the new facility or modifications to the existing facility abide with this Standard, including supplying designs prepared by a licensed professional engineer and receiving approval by the Lake Manager. Once replaced or modified, grandfathered structures must continue to abide with all aspects of the Standard. Additionally, if the cost of repairs needed to keep the facility "usable and safe" exceed 50 percent (50%) of the cost of a new-like structure, the facility cannot be repaired and must be replaced. Failure to correct safety deficiencies identified during inspections, maintain the facility as "usable and safe", or follow the Standard when replacing or significantly modifying a grandfathered facility may result in the termination of a Shoreline Use Permit and the removal of the facility.

E.4 Design Criteria: Any personal floating facility structure must be for the mooring of vessel or watercraft and the storage, in enclosed locker facilities, of gear essential to operation of such vessel or watercraft. A personal floating facility shall be only large

enough to store the vessel or watercraft within the dimensions of the structure or moor the vessel or watercraft adjacent to the structure, with enough additional room for walkways and securing of the floatation. Designs for replacement of any personal floating facility must be prepared by a licensed professional engineer and approved by the Lake Manager before the construction of a replacement structure. Replacement structure designs will be limited to a similar size footprint (square footage) of the facility it is replacing. Modifying a personal floating facility without designs prepared by a licensed professional engineer and approved by the Lake Manager is a violation of the permit conditions, and the permit may be revoked, and the facility removed.

E.5 Design Loads (Minimum):

a. Deck Loads (Substructure): 50 lbs. per square foot

b. Gangways/walkways: 50 lbs. per square foot

c. Wind Loads (Substructure and Superstructure): 25 lbs. per square foot

d. Roof Loads (Superstructure): To provide for a 2-inch ice load or equivalent amount of snow load.

E.6 Floatation Material: All new and replacement floatation must be plastic encapsulated foam that meets marina industry standards. Floatation must support the entire facility eight inches above the water surface. Floatation must be adequate to maintain a stabilized and safe facility and(or) walkway. Failure to maintain these standards may result in termination of the shoreline use permit for the associated facility.

E.7 Anchorage of Facilities: A design of the anchoring system will be submitted for each separate structure and will be developed in accordance with the site where the facility will be anchored, taking into consideration the water depth and exposure to fetch and wind loads. The anchorage must not impinge on any area forward of a line drawn 45 degrees rearward from the front corners of the facility. The front shall be looking away from the bank at 90 degrees. Anchorage shall allow for a 10 foot plus or minus fluctuation from elevation 1,162-foot National Geodetic Vertical Datum (NGVD) elevation. Attaching cables must remain serviceable and free of excessive rust or fraying. Cable attaching points, stiff arms, and attachments hardware must be serviceable and free of excessive rust as well. Dead-man cables must not be attached to trees. Mooring pilings, poles, and collars must be secure and in good condition. Failure to maintain these standards may result in termination of the shoreline use permit for the associated facility.

E.8 Walkways and Landing Areas: A shoreline landing to provide a place on the shoreline to access the gangway/walkway and in some cases to attach the gangway/walkway may be authorized but is not required. However, if requested and approved the shoreline landing shall be constructed of metal and no larger than six (6) feet by six (6) feet. The width for the gangway/walkway from the shoreline to the boathouse will be four (4) feet. Handrails are required on any new or replacement

walkways or ramps that are more than 30 inches above ground or are located over water. Existing walkways or ramps are not required to have handrails unless the walkway or ramp is replaced, or an imminent hazard exists. Sides of facility and attached walkways used for loading and unloading boats do not require handrails. Handrails shall be constructed with a top rail at 42 inches above the walkway surface and a bottom rail constructed 20 inches below the top rail. Handrails shall be designed and constructed with 2x4 lumber or material of an equivalent strength, that is capable of resisting a load of 50 pounds per linear foot applied in any direction at the top rail. The boathouse deck landing area will be a minimum of four (4) feet and a maximum of six (6) feet wide. Internal walkways around and in between slips within the boathouse will be a minimum of three (3) feet and maximum of four (4) feet in width. Walkways must be maintained to a safe and usable condition. Decking for walkways may use marine plywood, 2x6 wood planks, composite decking, or metal decking with slip-resistant tread, provided the strength of the decking is equivalent to 2x6 wood planks in strength. All wood shall be pressure treated with environmentally friendly chemicals. Arsenic treated wood materials are prohibited. Walkways shall be free from excessive spring, deflection, and lateral movement. Failure to maintain these standards may result in termination of the shoreline use permit for the associated facility.

E.9]Electrical: The design, installation and maintenance of all electrical systems shall meet the requirements of all local and state laws, the most current version of the National Electric Safety Code (NESC), and the National Electrical Code (NEC). Electrical systems must be designed by a Registered Professional Electrical Engineer or licensed Master Electrician and installed and inspected by a licensed electrician. A real estate instrument (license) is required for all electrical lines. Recertification is required at each permit renewal, change of ownership or at any time an inspection reveals that the service does not meet requirements. Applicants for electric line licenses are encouraged to consider solar applications that will meet the need for electrical power. Failure to maintain these standards may result in termination of the shoreline use permit for the associated facility. Additional requirements for electrical installations are as follows:

a. All electric lines on Government land shall be installed underground.

b. Electrical service to a private floating facility (boathouse) is limited to 120-volt receptacles and lighting circuits. All wires must be free of fraying or excessive wear.

c. Exterior lighting, including all lighting on open-sided facility, is limited to 150 watt, or equivalent, lamps. All exterior lighting shall be aimed directly downward to reduce glare when viewed from the water or adjacent homes.

d. Main electrical cutoff /disconnect switch for the electric line shall be maintained above flowage easement 1200 feet National Geodetic Vertical Datum (NDVD) and permit holder is responsible for de-energizing the line during periods of rising water.

e. All electrical service must have ground fault interrupter (GFI) protection and adhere to NEC.

f. Solar power systems for electrical systems are permitted and encouraged on personal floating facilities, provided all aspects of the system are securely installed on the facility itself rather than Government land, the facility substructure and(or) supports the weight of the system, and all batteries are stored in an enclosed facility storage locker separate for other authorized equipment and any flammable liquids. Designs for the installation of a solar system on any personal floating facility shall demonstrate the facility substructure and(or) roof can support or can be modified to support the system. These designs shall be prepared by a licensed professional engineer and approved by the Lake Manager before the construction of a solar structure.

E.10 Water Lines, Pumps, and Discharge: Water lines may not be run to personal floating facilities from adjacent property. Personal floating facilities may not contain water pumps or large storage containers intended to collect lake water for personal use. Sources of grey or black water such as sinks, showers, toilets introduce foreign substances and pollutants to the lake and are prohibited. The release of grey or black water from facilities may be subject to citation under Title 36 and may carry additional penalties under State of Texas or Federal law. Personal floating facility owners may use portable water hoses and pressure washers to clean algae and other naturally occurring substances from their facility and vessels provided they do not introduce foreign substances and pollutants, including soap, oils, or paint chips. Portable water hoses and pressure washers cannot be stored on facility and must be removed from Government property between uses. Failure to maintain these standards may result in termination of the shoreline use permit for the associated personal floating facility.

E.11 Fire Protection: An ABC dry chemical fire extinguisher of not less than ten pounds in capacity shall be located on every personal floating facility. All fire extinguishers shall be inspected by owner every 4 months and bear a date inspection tag. Failure to maintain these standards may result in termination of the shoreline use permit for the associated personal floating facility.

E.12 Emergency Rescue Equipment: A United States Coast Guard approved ring buoy, having fifty 50 feet of 3/8" rope or equal, is recommended for each personal floating facility.

E.13 Personal Floating Facility Storage Lockers: Total enclosed storage will not exceed a maximum floor area of 24 square feet in size and must be fastened securely to the personal floating facility. No individual dimension will exceed 8 feet. The storage locker(s) are not to interfere with walking space, nor are they to be used for the purpose of creating an enclosed facility. Facility storage boxes are authorized for storage of items essential to watercraft operation. Batteries may be stored in an enclosed facility storage locker as long as it is stored separately from other authorized equipment and any flammable liquids. Storage of flammable liquids must be in an OSHA approved flammable storage cabinet with appropriate ventilation. Storage lockers must be kept in

a good state of repair. Failure to maintain these standards may result in termination of the shoreline use permit for the associated personal floating facility.

E.14 Personal Floating Facility Furniture and Household Items: Furniture or household type items that denote habitation (such as, but not limited to, couches, stoves, and refrigerators) are prohibited. Carpet and other materials covering decking and obscuring visual inspection of deck integrity are prohibited. Failure to maintain these standards may result in termination of the shoreline use permit for the associated personal floating facility.

E.15 Siding on Structure: Siding material on existing boat personal floating facilities may be replaced with new material, when necessary, as long as the remainder of the boathouse is in good condition, free of holes, rust, patched appearances, etc. Any replacement of existing structures must be open sided. Chain link mesh or similar material will be allowed for security. Chain link fencing must remain in a state of good repair and siding must present a near appearance and condition. Failure to maintain these standards may result in termination of the shoreline use permit for the associated personal floating facility.

E.16 Roofs or Superstructure: Roofs may be gabled or mono-sloped. The roof overhang may extend no more than 1 horizontal foot from the exterior walls of a personal floating facility. Roofs may use construction materials commonly used for joist, rafters, and studding, such as wood and/or metal. Roofs must be securely fastened to the superstructure by use of steel plates, metal straps, or plywood gussets. All nails, bolts or screws must securely fasten supports and decking to maintain structural stability and must be galvanized or stainless steel. All wood shall be pressure treated with environmentally friendly chemicals. Arsenic treated wood materials are prohibited. When metal material is used it will be designed in accordance with American Institute of Steel Construction Specifications of the American Society of Civil Engineers' Proceedings for Aluminum Structures depending on the type of metal used. Welded or bolted connections are optional. New metal on the exposed exterior of the superstructure is desired. Used metal may be authorized if it is in good condition; however, if the used metal is of a dull color application of paint may be required. Paint colors will be approved by Lake Manager. All metal must present a neat appearance free from excessive flaking paint, discoloration, rust, or damage. All columns and stud walls will be adequately braced to resist wind loads of at least 25 pounds per square foot. Bracing will be designed and constructed to counteract design loads. The structure will have sufficient flexibility whereby wave actions will not damage the structural or roof system. Roofs or superstructure may be added to existing facilities with a design prepared by a licensed professional engineer and approved by the Lake Manager prior to construction. Failure to maintain these standards may result in termination of the shoreline use permit for the associated personal floating facility.

E.17 Shoreline and Access: Permits for private floating facilities may convey permission for permit holders to mow pedestrian access trails from their property through Government land to the permitted personal floating facility. While these paths are permitted through the associated shoreline use permit, they must follow the

guidelines for “Pedestrian Access Paths” within the Vegetation Modification Permit section of the Shoreline Management Plan. Additionally, the shoreline area surrounding the private floating facility must remain free of private property or unnatural debris or litter. Failure to follow these standards may result in termination of the shoreline use permit for the associated personal floating facility. The guidelines for pedestrian access paths relevant to paths accessing private floating facilities are as follows:

a. Paths must be for pedestrian foot traffic and limited to four (4) feet in width.

b. Permit holders may access their private floating facilities with motorized vehicles for the sole purpose of maintenance, repair, removal, or installation provided they notify the Lake Manager in writing at least 24 hours before the planned access.

c. Paths must blend naturally with existing topography and vegetation.

d. Permit holders must take precautions to prevent erosion, including using meandering paths in steeper areas.

e. Paths located on government property must be open to public traffic.

f. Permit holders may not construct or place any structures such as steps, bridges, handrails, benches, signs, light poles, or to make any changes in landform or topography on Government lands or along the path.

APPENDIX F: STANDARD DOCK PLANS

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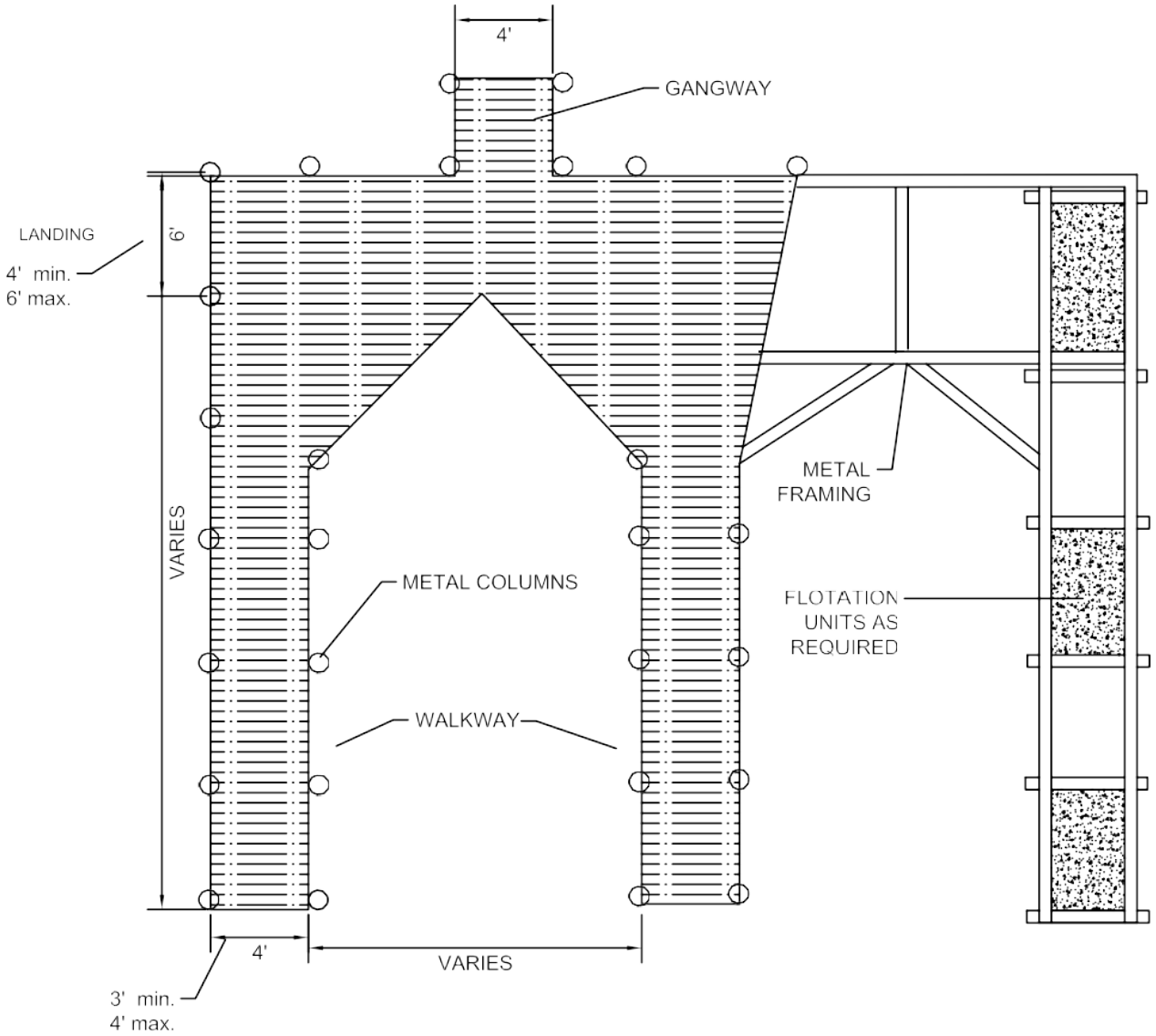
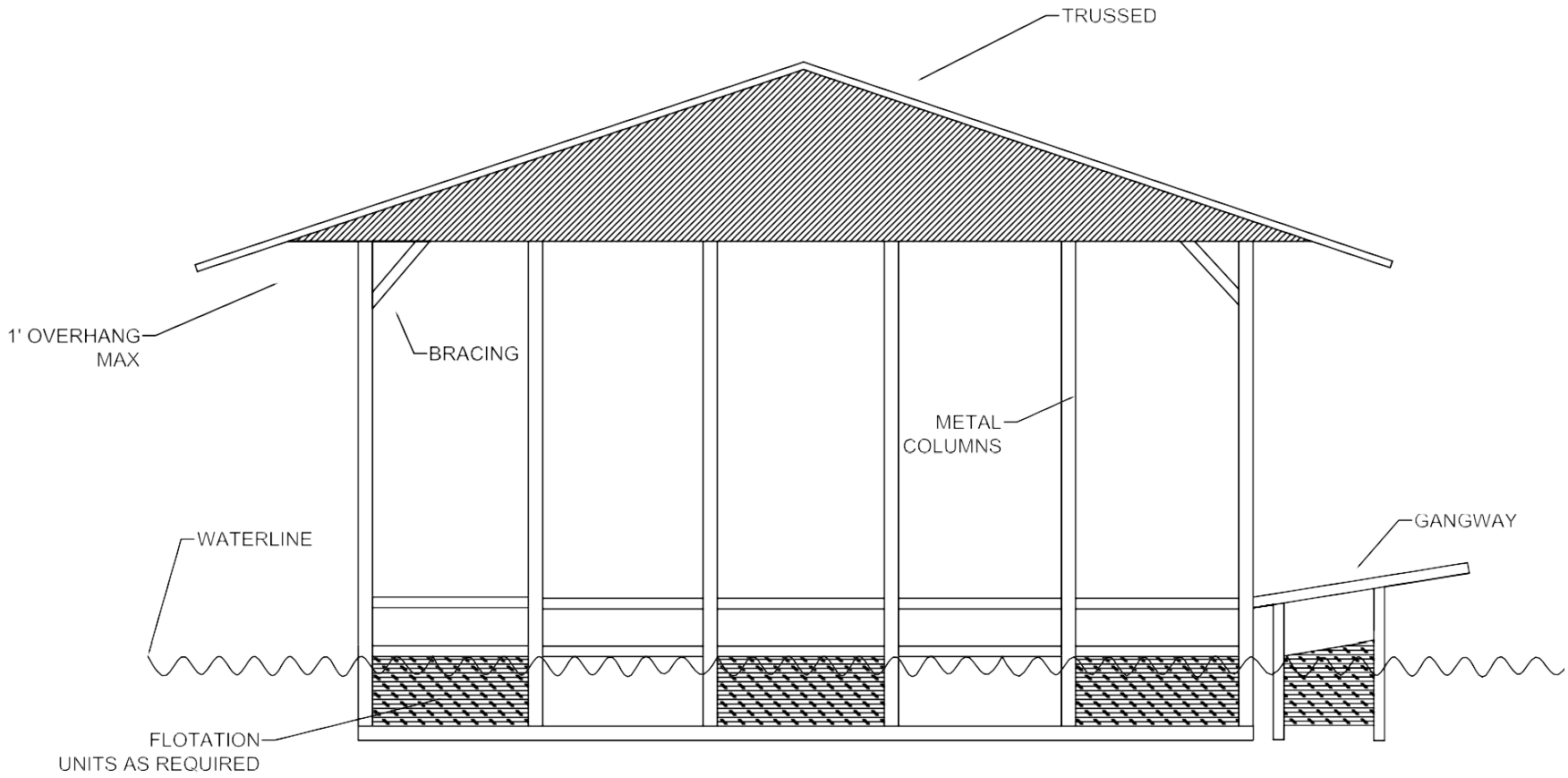


Standard Dock Plans (Top View)



Standard Dock Plans (Side View)

APPENDIX G: SUMMARY OF PUBLIC COMMENTS

The following comments were received in the 30-day comment period following the combined Master Plan and Shoreline Management Plan public meeting held on 19 January 2023. For comments related to the Master Plan, please see comments and responses in the Master Plan document.

Comment	USACE Response
Comanche Electric Cooperative is interested in your plans for a utility corridor and how it may be used to support/benefit CECA's electric services to the USACE and its other members.	This comment is related to the MP and was considered in preparation of the Draft MP.
As it relates to boat docks or boat mooring facilities, it seems that the intent of the July 1976 Lakeshore Management Plan was to encourage the use of commercial marinas or community docks. There are no commercial marinas and I do not expect there will be any in the future due to the relative low volume of boat traffic on the lake even during the peak summer time three day weekends. I would not think a commercial marina would be an economic endeavor especially with the additional cost of installing a facility that would be designed to accommodate the sometimes extreme changes in the lake level. The communities that are located on or near Adjoining Land are not part of an organized development or association. Any community docks would essentially be owned/controlled by a small group of neighbors and their friends. A community dock would be much larger in scope than any existing grandfathered private dock to accommodate multiple vessels. I do not think this would be good for the management of the shore line nor would it actually accomplish the intent of a community dock. Any community dock would likely suffer the same consequences of existing docks in that they would be accessible to boats within a limited lake level variance. Most private docks are either under	Marinas and/or community docks are still encouraged. However, the USACE understands that current demand does not seem to invite a commercial marina. If that demand changes, the appropriate marina locations would be in a High Density Recreation area as described in the MP and a feasible location to approval by USACE Project and Operations staff. Such a location must be capable of operating with the wide range of water level fluctuations that occur at Proctor Lake. Any requirements for special use permits would include guidelines and additional requirements to ensure safety of lake recreators and operations facilities as well as protecting natural resources. Such requirements would be specific to each real estate instrument and situation and not included in the SMP. Although not a preferred option, a floating dock can be approved in some situations with a special use or activity permit. Such permits are restricted only to organizations such as nonprofits, businesses, or agencies; not to individuals and subject to restrictions and guidelines that may not be included in the SMP. Concur, that "If docks, of any kind, are not allowed, the only other option is to

Comment	USACE Response
the water when the lake level is high or dry docked when the lake level is low. The prohibition of any new private dock or boat mooring facilities forces all those that do not have access to a grandfathered dock to use the boat ramps every time it is desired to launch a boat and retract the boat from the lake. This is fine for the occasional boater but is not the best solution for those that have Adjoining Land and use the lake for boating on a regular basis. Without the availability of a dock, boats that are left in the water for an extended period of time during the summer boating season, several days or weeks in a row, have the risk of becoming dry docked on the shore if there is a sudden reduction to the water level or ending up adrift if not secured to a fixed object when the lake suddenly rises. I have experienced a situation when a boat was pulled inland when the lake was at a high level and then dry docked when the lake level lowered in a short period of time. This boat remained on the shore for over two years before the lake level rose to a level that allowed it to be lifted from the shore. Even the change is water level over a day or two during the hot summer period can leave a boat that has only been pulled ashore very difficult to relaunch into the water. If docks, of any kind, are not allowed, the only other option is to either leave boats on the shoreline is to constantly utilize the boat ramp for the launching and loading of boats. This additional traffic at the boat ramps is a detriment in many ways (i.e. limited parking space for trailers, traffic in and out of the park area, dangers of backing a trailer into the lake, the elimination of boat use for those that do not have trailer backing skills, unnecessary use of vehicle fuel and the resulting engine emissions, etc.). A solution to the above is the use of completely portable docks. Unlike the docks	either leave boats on the shoreline is to constantly utilize the boat ramp for the launching and loading of boats." This does lead to some additional traffic, but as noted elsewhere, Proctor Lake is not known for having much boating traffic, and boat ramps typically only experience traffic for a few hours on weekends or holidays during peak recreation season. Parking for boat trailers is typically not a problem, but if problems exist, please bring it to the attention of Project Staff. Cross traffic with trailers including launching and parking can be problematic during peak recreation times during recreation season, but typically for just a few hours per day. If cross traffic leads to unsafe conditions, please bring it to the attention of Project Staff immediately.

Comment	USACE Response
that were used when Lake Proctor was first established and are now Grandfathered, a portable dock can be easily and completely extracted from the lake. These newer portable docks were designed for lakes that do not allow permanent docks due to constant and sudden changes in the water level. Portable docks have the following characteristics: The buoyancy element is totally encased in a thick hard outer plastic covering that is also buoyant. The dock is anchored at the water end of the dock with heavy metal poles that are securely attached to the dock and secured in place to the bottom of the lake with an auger end. The attachment of the poles to the dock is done is a manner that allows the dock to slide up and down the poles as the lake level ascends and recedes. The shore line end of the dock is secured with a heavy metal gang plank that can be easily lifted when moving the dock in and out to accommodate changes in the water level. The docks have removable hard plastic wheels that are used to move the dock into and completely out of the lake and also allows for the dock to be positioned well up on the shore line and beyond the Government property line when not in use. The use of portable docks should be allowed under the following conditions: A permit should be required. The dock should be maintained and moved in and out when the water level changes. A bond should be required to ensure compliance with any regulations concerning these docks. The docks should be extracted from lake and moved off the Government property during the	

Comment	USACE Response
nonsummer season which is also, typically, the time in the fall, winter and spring when rainfalls tend to cause the lake level to rise abruptly. If you need any additional information concerning the above described docks, I would be pleased to provide.	
Why is the most preferred camping area at Copperas Creek closed throughout the winter but is allowed for volunteers that are not needed allowed to use it free? Why is Highpoint not open to public? Why does Corp own so much property that is not used by anyone? Will the excess property ever be sold? Will previous landowners ever be allowed to purchase said property? The Equestrian Trailriders Association once had agreement w/Corp to camp and use Highpoint for camping and trail riding? Volunteers readily maintained the area and trails until ridiculous rules for using their own equipment made it impossible.	This comment is related to the MP and was considered in preparation of the Draft MP.
I would like to suggest that High Point Park be returned to Army Corp of Engineers maintenance. There is still frequent use by equestrians from there all along the waterfront to Foley's Boat Dock. The park and all the trails out from it need maintenance to clear briars and large cockleburs. Pedestrian use of the trails is heaviest from the Foley Boat Dock parking area through to fishing spots in the coves. The briars are a tripping hazard for them although horses seem unaffected except for steeper grades in a couple of places. Also regarding High Point Park: It would be an ideal place to repair and restore the boat ramps. The slope is steep and accesses deep water quickly. The ramp at Foley's is almost	This comment is related to the MP and was considered in preparation of the Draft MP. Mowing is one activity described under a vegetation modification permit and described in Section 5.3. No permits will ever be issued to mow large stretches of shoreline between the adjacent property and water's edge. However, permits can be issued to allow for pedestrian paths, underbrushing or clearing within 30 feet of a primary structure on an adjacent property, or hazardous tree removal. Small landscaping equipment can be used including a small riding mower assuming it can create a small

Comment	USACE Response
unusable because of the very slight slope and shallow water. The ramps at Sowell Creek are good, but the closest one for north shore visitors is only permitted for campers. The long drive through Sowell Creek park to the ramp at the dam gets you a ramp so steep that it's a bit difficult to pull a boat out. There needs to be public access to a deep water ramp on the north side similar to what is available at Copperas Creek. I would also like to suggest that some accommodation be made in the rules for adjacent land owners who want to clean up and mow Corp of Engineer land between their properties and the water's edge. I have a 465' border. I am 75 years old and can not sickle or push mow to clean up the cockleburs that make the shoreline strip almost impassable. It would be easy enough for me to use my riding mower like I do on my own acreage. I have assumed the restriction on motorized vehicles applies to a riding mower. Also there is a lot of dead brush in the shoreline strip left behind by the 2016 flooding. It would take a tractor pulled shredder to clear and remove that. I have that equipment available.	pedestrian path as described in Section 5.3. Please send specific requests or questions to the Proctor Lake Project Office.
Texas Parks and Wildlife Department (TPWD) has received the scoping notice regarding the proposed project listed above. TPWD staff has reviewed the information provided and offers the following comments concerning this project. In addition to state and federally protected species, TPWD tracks species considered to be Species of Greatest Conservation Need (SGCN) that, due to limited distributions or declining populations, face threat of extirpation or extinction but currently lack the legal protections given to threatened or endangered species. Special landscape features, natural plant communities, and SGCN are rare resources for which TPWD actively promotes conservation, and TPWD	This comment is related to the MP and was considered in preparation of the Draft MP.

Comment	USACE Response
considers it important to minimize impacts to such resources to reduce the likelihood of endangerment and preclude the need to list SGCN as threatened or endangered in the future. These species and communities are tracked in the Texas Natural Diversity Database (TXNDD). The most current and accurate rare and protected species data for Comanche County can be requested from the TXNDD website. Please note that the absence of TXNDD information in the proximity does not imply that a species is absent from that area. Given the small proportion of public versus private land in Texas, the TXNDD does not include a representative inventory of rare resources in the state. Although it is based on the best data available to TPWD regarding rare and protected species, data from the TXNDD does not provide a definitive statement as to the presence, absence, or condition of special species, natural communities, or other significant features within a project area. These data are not inclusive and cannot be used as presence/absence data or be substituted for on the ground surveys. If suitable habitat is available, rare and protected species could be present in the project area. Please review the TPWD county list for Comanche County which can be found on the Rare, Threatened, and Endangered Species of Texas website. The TPWD Landscape Ecology Program has developed an interactive mapping application, the Texas Ecosystem Analytical Mapper (TEAM), to assist wildlife biologists, land managers, naturalists, planners, and conservationists in understanding Texas habitats and to integrate vegetation data with land management and resource planning of all types. For more information on TEAM	

Comment	USACE Response
please visit the TPWD Landscape Ecology Program website. Future correspondence regarding this project · can be submitted to HAB@tpwd.texas.gov. Please contact me at Richard.Hanson@tpwd.texas.gov or (806) 761-4930 ext. 4936 if you have any questions.	
In conjunction with the Proctor Lake MP and SMP revision, I was reviewing the 1976 Lakeshore Management Plan provided by a link on the related web page. There were a few pages on the 1976 plan missing: 2nd page ii of the Table of Contents Section 8-05-the last sentence is not complete. It appears that the next page (F-18) is missing Standards for Existing Facilities, Section 7(b)-the last sentence is not complete. It appears that the next page F-24 is missing The Lake Management Plan Map referenced in Section 4-01 is not attached to the document Please send the missing pages to this e-mail address or if the document on the link is not complete, please inform me when it is.	Email response sent shortly after receiving comment: Thank you for reviewing the SMP and catching those missing pages! We have re-scanned the entire document and included all missing pages. The following pages have been added: Table of Contents ii, F-14, F-18, F-24, and Map Attachment. However, please note that some even page numbers still appear to be missing; these pages are not in the original plan and have not been excluded from the scanned document. The new version has been uploaded to the original website, and the comment period has been extended to March 2, 2023 to ensure that stakeholders, agencies, and the public have 30 days to review and provide comments. Please share this information with anyone who might have interest in providing comments as we begin the process of revising the Proctor Lake Master Plan and Shoreline Management Plan and provide comments by March 2, 2023. https://www.swf.usace.army.mil/About/Lakes-and-Recreation-Information/Master-Plan-Updates/Proctor/

Comment	USACE Response
Please do not allow any more docks. Stop/adjust hunting with blast & cast- 39 deer were taken this year. It needs to be doe only & under privileged kids only. Bring back crappie tournaments. Our core guys have worked hard at putting in all the structure. Use it. Please keep the same people around cleaning restroom. They haven't been that clean in years. They do a great job. Replace Sowell creek dam boat dock. It's on rocks at 4 ft low.	Concur. As described in Section 5.2, no new docks or boathouses will be permitted at Proctor Lake. However, existing facilities can remain, be maintained, and even replaced within their existing footprint. The USACE is aware of the issues at the Sowell Creek boat dock during low water and is researching ways of resolving those issues. However, such projects are subject to limited available resources. The other topics are related to the MP and was considered in preparation of the Draft MP.

APPENDIX H: SUMMARY OF SHORELINE MANAGEMENT CHANGES

Initial Scoping Public Meeting Comments

In general, there were many changes to clarify language or enforcement rather than changes in policy from the 1976 Lakeshore Management Plan (LMP) to the 2024 Proposed SMP. Significant changes are summarized in the following Table.

1976 LMP	2024 Proposed SMP
The shoreline allocations in the LMP were previously Limited Development Areas, Public Recreation Areas, Protected Lakeshore Area, and Prohibited Access Areas.	Protected Lakeshore Areas were re-named Protected Shoreline Areas to be consistent with the name change in ER 1130-2-406, but the function remains the same. The other shoreline allocations keep the same name and similar function.
The LMP stated that the shoreline is 38 miles long at normal pool elevation of 1,162 feet above sea level. However, the LMP did not state the number of miles of each shoreline allocation, but just provided general descriptions of each location and a rough map, so a direct comparison of changed shoreline miles is not possible. However, listed below are the descriptions of each allocation area at Proctor Lake.	The SMP was updated with modern GIS, LiDAR, and other mapping technologies and states that the shoreline is 43 miles long at a normal pool elevation of 1,162 feet. However, it provided the following changes to each shoreline allocation as listed below.
<u>Limited Development Areas (LDA):</u> There are no LDAs at Proctor Lake, however, the areas with grandfathered facilities were designated as a Restricted LDA, meaning no new LDAs would be permitted. As the LMP does not include how many facilities existed at the writing of the LMP or included on the maps, it is not possible to know how many feet or miles of shoreline were given this designation.	<u>Limited Development Areas (LDA):</u> No LDAs were designated at Proctor Lake. Grandfathered facilities could exist in other shoreline allocations, and “Restricted LDA” is not an allocation allowed under ER 1130-2-406, so those areas were designated as a different shoreline allocation depending on the use described in the MP.

1976 LMP	2024 Proposed SMP
Public Recreation Areas (PRA): PRAs were only located along shorelines adjacent to developed parks.	Public Recreation Areas (PRA): These areas are mostly the same as the LMP with the exception of High Point Park. Since the MP classified High Point as Multiple Resource Management Lands – Future or Inactive Recreation, the shoreline was changed to a Protected Shoreline. Approximately 10.4 miles of shoreline are allocated as PRA.
Protected Lakeshore Areas (PLA): A majority of the shoreline was allocated as PLA, primarily those areas that were classified as Wildlife and Nature Study Areas and Aesthetic Areas of the previous MP.	Protected Shoreline Areas (PSA): A majority of the shoreline remains PSA with just a change of name, located along areas classified as Multiple Resource Management Lands and Environmentally Sensitive Areas in the MP. The biggest change from the LMP was High Point Park which was reclassified in the MP and changed to PSA in the SMP. Approximately 31.3 miles of shoreline were classified as PSA.
Prohibited Access Areas (PAA): The LMP designated the shoreline along the dam and structures as PLA to protect facilities and users.	Prohibited Access Areas (PAA): The SMP also allocates the shoreline along the dam and structures as PSA. Approximately 1.3 miles of shoreline are allocated as PAA.
Although the LMP did not designate any Limited Development Areas, but instead designated the areas with existing permitted facilities as “Restricted Limited Development Areas” where those areas currently exist, the existing facilities were grandfathered to remain. However, the LMP allowed the grandfathered facility to relocate to another location through mutual agreement of the permit holder and the Lake Manager.	The Proposed SMP also does not designate any areas as Limited Development Areas and continues to permit existing grandfathered facilities to remain in the current location as long as it remains compliant with the permit and SMP. The change in the SMP would not allow any grandfathered facility to relocate to any other location for any reason.
The LMP forbade the removal of specific species for vegetation modification permits.	The proposed SMP removed the list of specific species and places the approval or restrictions of species at the direction of the Lake Manager.
The LMP listed specific fees based on laws and policies of 1976.	The SMP removed specific fee amounts and stated that administrative fees exist, and the specific fees would be based on the amount allowed under law at the time of permit application.

1976 LMP	2024 Proposed SMP
The LMP briefly mentions grandfather rights based on laws of the time.	Since the LMP, additional laws and policies were put in place, and details from those laws and policies were included in the SMP to clarify grandfather rights and permit enforcement.
The LMP stated that personal floating facility “repairs will not be allowed if the cost will exceed 50 percent of the cost of a new structure exactly like the one being repaired.” The LMP did not identify if such a facility could be replaced.	The SMP used that language to define “substantial repair” when the cost of repairs will exceed 50 percent (50%) of the cost of a similar new structure. In such a case, the old facility still could not be repaired. The SMP clarified language that such a structure could be replaced with a similar structure of the same footprint and use.
Some details for pedestrian paths exist in the LMP and prescribed that a path could only be three (3) feet in width.	The SMP provided additional guidelines and clarified language from the LMP but increased the width of pedestrian paths to (4) feet, since many mowers and uses are wider than three feet. The SMP also stated that neighbors may be required to share paths to reduce impact on the environment. The SMP also clarified existing policy that neighboring landowners are not allowed to place any structures along the paths on government property.
The LMP included a section on stairs, elevators, and trolleys to access personal floating facilities.	Since Proctor Lake has such few personal floating facilities; all are located in areas with relatively gently slope; and all are easily accessible without stairs, elevators, trolleys, or similar instruments; no stairs, elevators, or trolleys will be permitted, and the section removed from the SMP.

1976 LMP	2024 Proposed SMP
Section F of the LMP provides some details on electricity provided to permitted facilities.	Section 6.2.1 and Appendix E of the SMP provide additional details for electricity provided to permitted facilities to comply with best management practices and safety requirements. The biggest change is that facilities without existing electricity lines will be limited to just solar and battery options and will not be issued a real estate instrument for an electrical line to the facility. Furthermore, existing facilities with an electrical line will be encouraged to replace them with solar and battery options when conducting significant maintenance of their electrical systems.
Permit holders in violation or otherwise required to remove their personal floating facilities were given 30 days to remove the facility and return the shoreline to its preexisting condition.	Permit holders in violation or otherwise required to remove their personal floating facilities were given 60 days rather than 30 to remove the facility and return the shoreline to its preexisting condition.
The LMP provided a simple map with shoreline allocations.	The SMP provided more detailed maps of the shoreline allocations and locations of existing personal floating facilities in Appendix A.
N/A	The SMP provided the current Application for Shoreline Use Permit in Appendix B
N/A	The SMP provided the Shoreline Use Permit Conditions from ER 1130-2-406 Appendix C as Appendix C of the SMP.
N/A	The SMP provided a Private Dock Inspection Checklist in Appendix D of the SMP.
The LMP provided detailed facility standards in Appendix F.	The SMP provided Maintenance and Construction Standards for Personal Floating Facilities in Appendix E of the SMP. Many of these details have changed to meet new USACE policy, safety standards, and general best management practices.
N/A	The SMP provided Standard Dock Plans in Appendix F of the SMP.

Draft SMP Public Meeting Comments

The following comments were received in the 30-day comment period following the combined Master Plan and Shoreline Management Plan public meeting held on 19 March 2024 in Comanche, TX. For comments related to the Master Plan, please see comments and responses in the Master Plan document.

Comment	USACE Response
The Promontory RV Resort has a dock that was granted in 1989. We pay taxes and are deeded on a parcel of land numbered [REDACTED] on the Comanche County CAD. It appears to cross over into the Corps land. As owner of this land, do we retain any rights? I have included a screenshot of property [REDACTED] A little history as I have been told: Back in 1989 when the PRVR was developed, there were plans for a boat launch to be included. From what I understand these plans were scrapped whenever the boat launch was going to have to be open to the public. [Image and property details redacted to protect privacy of commenter/adjacent landowner.]	This question is outside the scope of the Master Plan and Shoreline Management Plan. The lake manager responded to this adjacent landowner to answer questions about real estate, property rights, or any other questions they may have.
Sorry… I have a question, comments, and suggestion--- Question: your Master Plan (Shoreline Management Plan) Public Land and Water Recreation--- Does "USACE" believe every person young and old--- have the same (definition) on Recreation? It has been said--- De Leon Texas is 97% "Drugs". Who knows where Comanche Texas is at on "Drugs"--- Promontory Side of lake is covered up with people on "Drugs"--- How do I know--- I live on Promontory Side--- my husband & I have seen it all (with keep out signs all over our property) (We love to fish and still do)	The USACE does not have a simple definition for recreation, but it is broadly defined and managed with Environmental Regulation (ER) 1130-2-550 and Environmental Pamphlet (EP) 1130-2-550. EP 1130-2-550 states that one recreation objective is "to provide a quality outdoor recreation experience which includes an accessible, safe, and healthful environment for a diverse population." It is not within the authority of USACE staff to police all types of behavior at USACE facilities, however recreation users and adjacent landowners should contact the lake manager or rangers if they believe unsafe activity is occurring, or contact the police if immediate safety or health concerns arise.

Suggestion: Close Buffalo Springs Area you have open to the public. When USACE goes home after dark it's drugs, alcohol, theft in homes (do you call that recreation?)	Most of the area around Buffalo Springs is private property and not owned or managed by the USACE. The boat ramp is owned by the USACE and leased and managed by Comanche County. The area around the Buffalo Springs Boat Ramp owned by the USACE is classified as Low Density Recreation in the Master Plan which is suitable for a boat ramp and less intensive recreation such as unpaved trails or parking. The USACE does not have plans to close the Buffalo Springs Boat Ramp at this time, especially since there are limited boat access points at Proctor Lake. It is not within the authority of USACE staff to police all types of behavior at USACE facilities, however recreation users and adjacent landowners should contact the lake manager or rangers if they believe unsafe activity is occurring or contact the police if immediate safety or health concerns arise.
Comment: USACE--- sure puts lots of trust in the (NEPA) Do they have ways of keeping Drugs, Alcohol, Theft, out of recreation areas? (If they do) keep the recreation areas inside the parks areas and keep "parks" open year round!--- And--- seeing more and more-often in the "Parks"--- hint Game Wardens! Can (NEPA) do that? When High Point Park was closed (because of drugs, alcohol, theft, and etc. True?--- Are after it was closed?---	This topic is outside the scope of the Master Plan or Shoreline Management Plan, and also unrelated to the NEPA process. It is not within the authority of USACE staff to police all types of behavior at USACE facilities, however recreation users and adjacent landowners should contact the lake manager or rangers if they believe unsafe activity is occurring, or contact the police if immediate safety or health concerns arise. If illegal hunting or fishing activities are occurring, they should contact the TPWD fish and game wardens.

APPENDIX I: ENVIRONMENTAL ASSESSMENT

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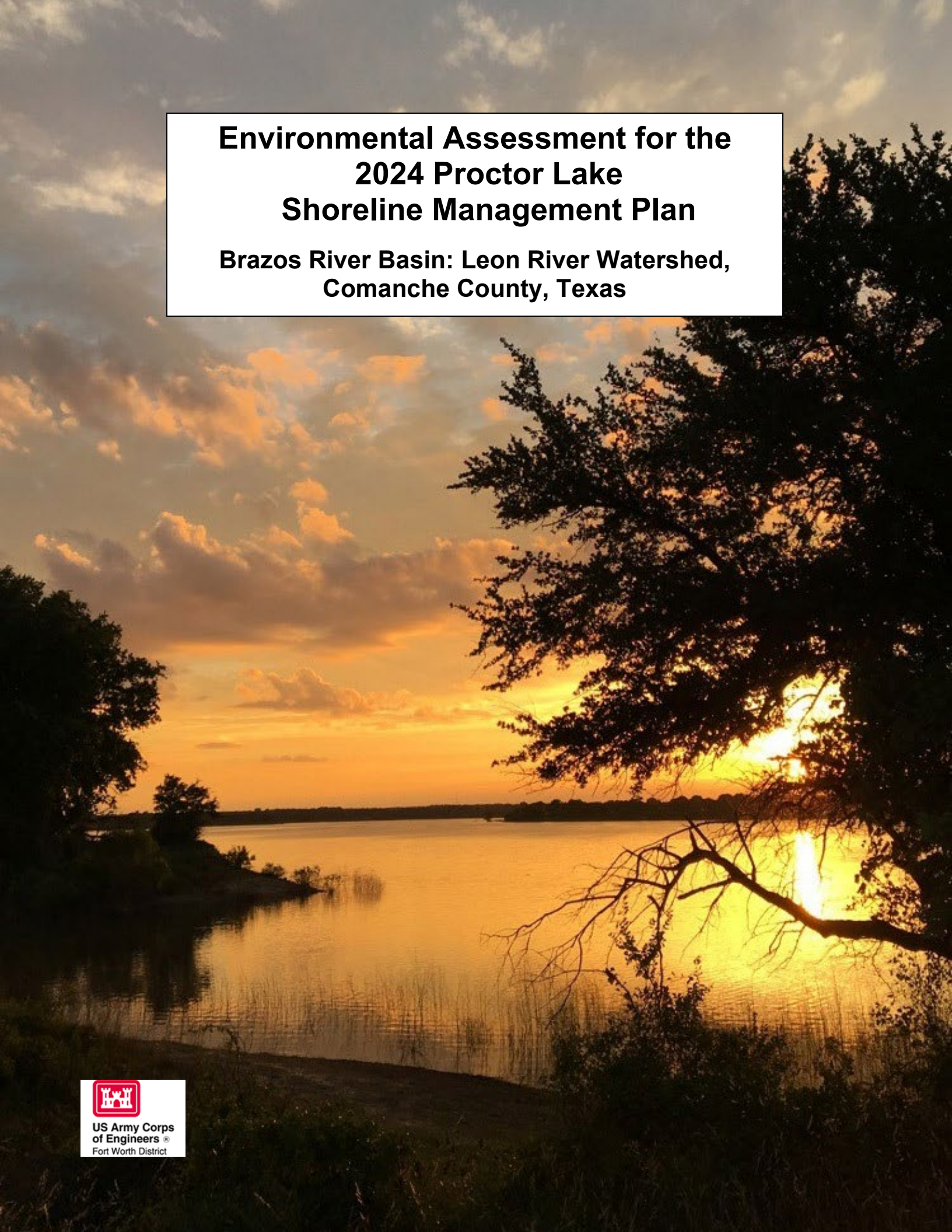
Environmental Assessment for the 2024 Proctor Lake Shoreline Management Plan

Brazos River Basin: Leon River Watershed, Comanche County, Texas



US Army Corps of Engineers ®
Fort Worth District

ENVIRONMENTAL ASSESSMENT ORGANIZATION

This Environmental Assessment (EA) evaluates the potential environmental and socioeconomic impacts of the proposed 2024 Shoreline Management Plan of Proctor Lake. This EA will facilitate the decision process regarding the Proposed Action and alternatives.

SECTION 1	*INTRODUCTION* of the Proposed Action summarizes the purpose of and need for the Proposed Action, provides relevant background information, and describes the scope of the EA.
SECTION 2	*PROPOSED ACTION AND ALTERNATIVES* examines alternatives for implementing the Proposed Action and describes the recommended alternative.
SECTION 3	*AFFECTED ENVIRONMENT* describes the existing environmental and socioeconomic setting.
	ENVIRONMENTAL CONSEQUENCES identifies the potential environmental and socioeconomic effects of implementing the Proposed Action and alternatives.
SECTION 4	*CUMULATIVE IMPACTS* describes the impact on the environment that may result from the incremental impact of the action when added to other past, present, and reasonably foreseeable actions.
SECTION 5	*COMPLIANCE WITH ENVIRONMENTAL LAWS* provides a listing of environmental protection statutes and other environmental requirements.
SECTION 6	*IRRETRIEVABLE AND IRREVERSIBLE COMMITMENT OF RESOURCES* identifies any irreversible and irretrievable commitments of resources that are involved in the Proposed Action.
SECTION 7	*PUBLIC AND AGENCY COORDINATION* provides a listing of individuals and agencies consulted during preparation of the EA.
SECTION 8	*REFERENCES* provides bibliographical information for cited sources.
SECTION 9	*ACRONYMS/ABBREVIATIONS*
SECTION 10	*LIST OF PREPARERS* identifies persons who prepared the document and their areas of expertise.
ATTACHMENT A	National Environmental Policy Act (NEPA) Coordination and Scoping

TABLE OF CONTENTS

LIST OF TABLES

List of Figures

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ENVIRONMENTAL ASSESSMENT

2024 Proctor Lake Shoreline Management Plan

Proctor Lake
Comanche County, Texas

SECTION 1: INTRODUCTION

This Environmental Assessment (EA) has been prepared by the United States Army Corps of Engineers (USACE) to evaluate the 2024 Proctor Lake Shoreline Management Plan (SMP). The 2024 SMP is a programmatic document that is subject to evaluation under the National Environmental Policy Act (NEPA) of 1969, (Public Law [PL] 91-190). This document provides an assessment of potential impacts that could result with the implementation of either the No Action or Proposed Action Alternatives and has been prepared in accordance with the National Environmental Policy Act (NEPA, Public Law 91-190) as amended in 2020, the Council on Environmental Quality (CEQ) regulations (40 CFR, 1500–1508), and USACE regulations, including Engineer Regulation (ER) 200-2-2: Procedures for Implementing NEPA (1988).

The 2024 SMP serves to protect and manage the shorelines of Proctor Lake's under Corps jurisdiction in a manner which will promote the safe and healthful use of these shorelines by the public while maintaining environmental safeguards to ensure a quality resource for use by the public along the shoreline throughout the life of the Proctor Lake project. It is a vital tool for responsible stewardship and sustainability of the project's natural and cultural resources, as well as the provision of outdoor recreation facilities and opportunities on federal land associated with Proctor Lake for the benefit of present and future generations. All actions carried out by USACE, other agencies, and individuals granted leases to USACE lands must be consistent with the SMP that is in place at that time. Therefore, the SMP must be kept current in order to provide effective guidance in USACE decision-making. The original Proctor Lake SMP which was and is still called the Lakeshore Management Plan (LMP) was approved in and last revised in 1976, which makes the current LMP over 45 years old.

The 2024 Master Plan (MP) is incorporated in this document by reference; the 2024 SMP is intended to be compliant and complimentary to the 2024 MP. Please note that at the time of this EA, the 1971 MP is being revised by the 2024 MP. Any changes made in the 2024 MP will be accounted for and incorporated into the 2024 SMP and associated EA and vice versa. Revising the 1971 MP and 1976 LMP simultaneously ensures they are compatible, and that Proctor Lake will be managed in a holistic manner, allowing for better management of all resources within the Proctor Lake Federal Fee Boundary.

1.1 PROJECT DESCRIPTION

Proctor Dam and Lake (hereafter Proctor Lake) is located at river mile (RM) 238.9 on Leon River within the larger Brazos River Watershed. The Leon River originates in Eastland County, approximately 2 miles southeast of the town of Eastland Texas, and

flows in a southeasterly direction for approximately 299 miles to a point about 6 miles southeast of the city of Belton, Texas, where it joins the Lampasas River to form the Little River. The watershed of the Leon River has a total drainage area of 3,570 square miles with 1,259 square miles being located above the dam making up the entire drainage area. The shoreline at the top of conservation pool is approximately 38 miles.

Congressional authorization for the construction of Proctor Dam and Lake on the Leon River is contained in the Flood Control Act approved 3 September 1954 (Public Law 780, 83rd Congress, 2nd Session) in accordance with the recommendations made by the Chief of Engineers contained in House Document No. 535 (81st Congress, 2nd Session) entitled “Report on Survey of Brazos River and Tributaries, Texas, Oyster Creek, Texas, and Jones Creek, Texas”. The construction of Proctor Dam access road began on July 11, 1960, and on the embankment on January 16, 1961; deliberate impoundment began September 30, 1963; and the dam was completed on January 2, 1964.

The Proctor Dam and Lake Project is an integral part of USACE plan for flood control on the Lower Brazos River and its tributaries. The plan presently consists of nine USACE flood control projects, known as Whitney Dam, Aquilla Dam, Waco Dam, Proctor Dam, Belton Dam, Stillhouse Hollow Dam, North San Gabriel Dam (Lake Georgetown), Granger Dam, and Somerville Dam. BRA also owns and operates three other dams in the Brazos River basin for purposes of water conservation: Morris Sheppard Dam (Possum Kingdom Lake), DeCordova Bend Dam (Lake Granbury), and Sterling C. Robertson Dam (Lake Limestone). Proctor Dam operates with four other USACE Dams: Belton Dam, Stillhouse Hollow Dam, Granger Dam, and North San Gabriel Dam (Lake Georgetown) on the Little River System and San Gabriel River, to control floods at the Little River Gage at Cameron, Texas. The nine USACE dam projects in the Brazos River system control 36,830 square miles of drainage area of which 8,950 square miles are non-contributing. Proctor Dam controls 1,259 square miles of drainage area.

1.2 PURPOSE OF AND NEED FOR THE ACTION

The purpose of the Proposed Action Alternative is to ensure that the 2024 Proctor Lake SMP (SMP) is in compliance with applicable environmental laws and regulations and to maintain quality lands for future public use. The 2024 SMP is intended to balance certain private shoreline uses with resource protection for general public use. The SMP does not have a specified life span but is reviewed periodically to ensure the SMP complies with public law, USACE policy and is responsive to public needs and written commitments to private individuals.

The need for the Proposed Action Alternative is to bring the 1976 LMP up to date and to reflect changes in public law, USACE policy and expressed public interest.

1.3 SCOPE OF THE ACTION

This EA was prepared to evaluate existing conditions and potential impacts of proposed alternatives associated with the implementation of the 2024 SMP. The

alternative considerations were formulated with special attention given to revised shoreline allocations, revised permit administrative processes, revised construction and maintenance standards, new shoreline allocation maps, and to ensure the 2024 SMP compliments the 2024 MP. This EA was prepared pursuant to the National Environmental Policy Act (NEPA), (Public Law 91-190) as amended in 2020. The application of NEPA to more strategic decisions not only meets the Council on Environmental Quality (CEQ) implementing regulations (CEQ 2005) and USACE regulations for implementing NEPA (USACE 1988), but also allows the USACE to consider the environmental consequences of its actions long before any physical activity is implemented. Multiple benefits can be derived from such early consideration. Effective and early NEPA integration with the shoreline management planning process can significantly increase the usefulness of the 2024 SMP to the decision maker.

SECTION 2: PROPOSED ACTION AND ALTERNATIVES

The purpose of the Proposed Action Alternative is to is to revise the 1976 LMP. As part of this process, which includes public outreach and comment, two alternatives were developed for evaluation including a No Action Alternative.

The analysis of public comment, the review of USACE regulations at ER 1130-2-406, and the review of the 2024 Proctor Lake Master Plan has resulted in the following objectives in the 2024 SMP:

a) To manage and protect shoreline under jurisdiction of the Chief of Engineers.
b) To establish, conserve, and maintain sustainable natural resources, including fish and wildlife habitat, and promote environmental sustainability and aesthetic quality.
c) To promote a reasonably safe and healthful environment to project visitors.
d) To provide pedestrian access to project lands and waters while maintaining the shoreline for general public use.
e) To honor past written commitments authorizing certain private uses while ensuring equitable access to and use of public property.
f) To encourage boat owners to moor their boats at commercial marinas, utilize dry storage off project lands, or to trailer their boats to commercial or public launching ramps.
g) To ensure the SMP compliments and does not contradict the Proctor Lake Master Plan.

A summary of the changes in the Proposed Action Alternative are compared to the 1976 LMP in Table 2-1. Normally a table with a summary of the changes in shoreline management designation miles compared to the 1976 LMP and a separate table with these changes described further detail would be presented but because as the below Table 2-1 explains the USACE does not know what the 1976 shoreline miles are under each classification.

Table 2-1. Table of SMP Changes

1976 LMP	2024 Proposed SMP
The shoreline allocations in the LMP were previously Limited Development Areas, Public Recreation Areas, Protected Lakeshore Area, and Prohibited Access Areas.	Protected Lakeshore Areas were re-named Protected Shoreline Areas to be consistent with the name change in ER 1130-2-406, but the function remains the same. The other shoreline allocations keep the same name and similar function.

1976 LMP	2024 Proposed SMP
The LMP stated that the shoreline is 38 miles long at normal pool elevation of 1,162 feet above sea level. However, the LMP did not state the number of miles of each shoreline allocation, but just provided general descriptions of each location and a rough map, so a direct comparison of changed shoreline miles is not possible. However, listed below are the descriptions of each allocation area at Proctor Lake.	The SMP was updated with modern GIS, LiDAR, and other mapping technologies and states that the shoreline is 43 miles long at a normal pool elevation of 1,162 feet. However, it provided the following changes to each shoreline allocation as listed below.
<u>Limited Development Areas (LDA):</u> There are no LDAs at Proctor Lake, however, the areas with grandfathered facilities were designated as a Restricted LDA, meaning no new LDAs would be permitted. As the LMP does not include how many facilities existed at the writing of the LMP or included on the maps, it is not possible to know how many feet or miles of shoreline were given this designation.	<u>Limited Development Areas (LDA):</u> No LDAs were designated at Proctor Lake. Grandfathered facilities could exist in other shoreline allocations, and "Restricted LDA" is not an allocation allowed under ER 1130-2-406, so those areas were designated as a different shoreline allocation depending on the use described in the MP.
<u>Public Recreation Areas (PRA):</u> PRAs were only located along shorelines adjacent to developed parks.	<u>Public Recreation Areas (PRA):</u> These areas are mostly the same as the LMP with the exception of High Point Park. Since the MP classified High Point as Multiple Resource Management Lands – Future or Inactive Recreation, the shoreline was changed to a Protected Shoreline. Approximately 10.4 miles of shoreline are allocated as PRA.
<u>Protected Lakeshore Areas (PLA):</u> A majority of the shoreline was allocated as PLA, primarily those areas that were classified as Wildlife and Nature Study Areas and Aesthetic Areas of the previous MP.	<u>Protected Shoreline Areas (PSA):</u> A majority of the shoreline remains PSA with just a change of name, located along areas classified as Multiple Resource Management Lands and Environmentally Sensitive Areas in the MP. The biggest change from the LMP was High Point Park which was reclassified in the MP and changed to PSA in the SMP. Approximately 31.3 miles of shoreline were classified as PSA.

1976 LMP	2024 Proposed SMP
Prohibited Access Areas (PAA): The LMP designated the shoreline along the dam and structures as PLA to protect facilities and users.	Prohibited Access Areas (PAA): The SMP also allocates the shoreline along the dam and structures as PSA. Approximately 1.3 miles of shoreline are allocated as PAA.
Although the LMP did not designate any Limited Development Areas, but instead designated the areas with existing permitted facilities as “Restricted Limited Development Areas” where those areas currently exist, the existing facilities were grandfathered to remain. However, the LMP allowed the grandfathered facility to relocate to another location through mutual agreement of the permit holder and the Lake Manager.	The Proposed SMP also does not designate any areas as Limited Development Areas and continues to permit existing grandfathered facilities to remain in the current location as long as it remains compliant with the permit and SMP. The change in the SMP would not allow any grandfathered facility to relocate to any other location for any reason.
The LMP forbade the removal of specific species for vegetation modification permits.	The proposed SMP removed the list of specific species and places the approval or restrictions of species at the direction of the Lake Manager.
The LMP listed specific fees based on laws and policies of 1976.	The SMP removed specific fee amounts and stated that administrative fees exist, and the specific fees would be based on the amount allowed under law at the time of permit application.
The LMP briefly mentions grandfather rights based on laws of the time.	Since the LMP, additional laws and policies were put in place, and details from those laws and policies were included in the SMP to clarify grandfather rights and permit enforcement.
The LMP stated that personal floating facility “repairs will not be allowed if the cost will exceed 50 percent of the cost of a new structure exactly like the one being repaired.” The LMP did not identify if such a facility could be replaced.	The SMP used that language to define “substantial repair” when the cost of repairs will exceed 50 percent (50%) of the cost of a similar new structure. In such a case, the old facility still could not be repaired. The SMP clarified language that such a structure could be replaced with a similar structure of the same footprint and use.

1976 LMP	2024 Proposed SMP
Some details for pedestrian paths exist in the LMP and prescribed that a path could only be three (3) feet in width.	The SMP provided additional guidelines and clarified language from the LMP but increased the width of pedestrian paths to (4) feet, since many mowers and uses are wider than three feet. The SMP also stated that neighbors may be required to share paths to reduce impact on the environment. The SMP also clarified existing policy that neighboring landowners are not allowed to place any structures along the paths on government property.
The LMP included a section on stairs, elevators, and trolleys to access personal floating facilities.	Since Proctor Lake has such few personal floating facilities; all are located in areas with relatively gently slope; and all are easily accessible without stairs, elevators, trolleys, or similar instruments; no stairs, elevators, or trolleys will be permitted, and the section removed from the SMP.
Section F of the LMP provides some details on electricity provided to permitted facilities.	Section 6.2.1 and Appendix E of the SMP provide additional details for electricity provided to permitted facilities to comply with best management practices and safety requirements. The biggest change is that facilities without existing electricity lines will be limited to just solar and battery options and will not be issued a real estate instrument for an electrical line to the facility. Furthermore, existing facilities with an electrical line will be encouraged to replace them with solar and battery options when conducting significant maintenance of their electrical systems.
Permit holders in violation or otherwise required to remove their personal floating facilities were given 30 days to remove the facility and return the shoreline to its preexisting condition.	Permit holders in violation or otherwise required to remove their personal floating facilities were given 60 days rather than 30 to remove the facility and return the shoreline to its preexisting condition.
The LMP provided a simple map with shoreline allocations.	The SMP provided more detailed maps of the shoreline allocations and locations of existing personal floating facilities in Appendix A.

1976 LMP	2024 Proposed SMP
N/A	The SMP provided the current Application for Shoreline Use Permit in Appendix B
N/A	The SMP provided the Shoreline Use Permit Conditions from ER 1130-2-406 Appendix C as Appendix C of the SMP.
N/A	The SMP provided a Private Dock Inspection Checklist in Appendix D of the SMP.
The LMP provided detailed facility standards in Appendix F.	The SMP provided Maintenance and Construction Standards for Personal Floating Facilities in Appendix E of the SMP. Many of these details have changed to meet new USACE policy, safety standards, and general best management practices.
N/A	The SMP provided Standard Dock Plans in Appendix F of the SMP.

2.1 ALTERNATIVE 1: NO ACTION ALTERNATIVE

The No Action Alternative serves as a basis for comparison to the anticipated effects of the other action alternatives, and its inclusion in this EA is required by NEPA and CEQ regulations (40 CFR § 1502.14(d)). Under the No Action Alternative, the USACE would not approve the adoption or implementation of the 2024 SMP. Instead, the USACE would continue to manage Proctor Lake's natural resources as set forth in the 1976 LMP. The 1976 LMP would continue to provide the only source of comprehensive management guidelines and philosophy. However, the 1976 LMP is out of date and does not reflect the current ecological, socio-political, or socio-demographic conditions of Proctor Lake, or the policies and management guidelines set in place by the 2024 MP. The No Action Alternative, while it does not meet the purpose of or need for the Proposed Action Alternative, serves as a benchmark of existing conditions against which federal actions can be evaluated, and as such, the No Action Alternative is included in this EA, as prescribed by CEQ regulations.

2.2 ALTERNATIVE 2: PROPOSED ACTION

Under the Proposed Action Alternative, the 1976 LMP would be reviewed, coordinated with the public, revised to comply with USACE regulations and guidance, and revised to reflect changes in the land management and land uses that have occurred over time or are desired in the near future. The keys to this alternative would be the revision of shoreline designations and associated area to USACE standards and the preparation of the resource objectives that would reflect current and projected needs and would be compatible with regional goals while sustaining Proctor Lake natural resources and providing recreational experiences.

The new shoreline allocation categories are defined as follows:

- **Limited Development Areas (LDA):** LDAs are those areas allocated for private activities, such as vegetative modification, and/or the installation of privately-owned floating facilities such as docks and boathouses following the issuance of a permit in accordance with current Federal regulations and this SMP. All LDAs have been removed at Proctor Lake, since there are currently four (4) existing grandfathered personal floating facilities, and no new facilities will be permitted. Existing authorized shoreline use permits for docks and boathouses will be renewed provided all criteria and permit conditions are met, and the facilities remain safe and useable. Ownership of existing, permitted facilities may be transferred per the conditions of Section 5.2.6, and permits may be issued for those existing facilities to new owners at the existing location. Existing floating facilities may not be relocated to other areas of Proctor Lake. There are no LDAs along the Proctor Lake shoreline.
- **Protected Shoreline Areas (PSA):** Protected shoreline areas are designated primarily to protect or restore aesthetic, fish and wildlife, cultural, or other environmental resources in accordance with ER 1130-2-406, the USACE Environmental Stewardship mission stated in ER 1130-2-540, and the policies of the National Environmental Policy Act of 1969 (PL-190). Shorelines may also be designated in this category for physical protection reasons, such as heavy siltation, rapid dewatering, erosion, or exposure to high wind, wave, and current action. Land access and boating are permitted along these shorelines, provided aesthetic, environmental, and natural resource values are not damaged or destroyed, but private floating facilities are not permitted in these areas. Modification of landform or vegetation by private individuals will be allowed only by permit and only after due consideration of the effects of such action on the environmental and physical characteristics of the area. Approximately 31.3 miles of shoreline are classified as protected shoreline.
- **Public Recreation Areas (PRA):** Public Recreation Areas are those areas designated for commercial concessionaire facilities; Federal, state, or other similar public use; typically include Project Site Areas as described in Section 3.4; and are classified as High Density Recreation in the MP. These areas have controlled access for the protection of park users and resources. Private floating facilities will not be permitted in these areas. Modification of landform or vegetation by private individuals or groups will not be permitted. Quasi-public organization recreational areas, operating under lease agreements with USACE, are also zoned under this allocation. These quasi-public areas are designated for use by organizations such as the Scouts, YMCA, and the YWCA. Floating facilities owned by the quasi-public organization and within quasi-public lease areas will be managed under the terms of the real estate agreement for the individual site. No private floating facilities are allowed in the quasi-public sites. Shoreline use permits will not be issued or authorized in areas allocated as Public Recreation Areas. Commercial concession areas are governed by the conditions contained in the concession lease and are not subject to the permit requirements of this SMP. Approximately 10.4 miles of shoreline are allocated for public recreation.

- **Prohibited Access Areas (PAA):** Prohibited Access Areas are those in which public access is not allowed or is restricted for health, safety, or security reasons. These could include hazardous areas near dams, spillways, work areas, water intake structures, etc. No shoreline use permits will be issued in Prohibited Access Areas. Private floating facilities such as docks and/or the modification of landform and vegetation are not permitted in these areas. Approximately 1.3 miles of shoreline are allocated as prohibited access areas.

1.3 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM FURTHER CONSIDERATION

Other alternatives to the Proposed Action Alternative were initially considered as part of the scoping process for this EA. However, none met the purpose of and need for the Proposed Action Alternative or the current USACE regulations and guidance. Furthermore, no other alternatives addressed public concerns. Therefore, no other alternatives are being carried forward for analysis in this EA.

SECTION 3: AFFECTED ENVIRONMENT AND CONSEQUENCES

This section of the EA describes the potential impacts of the No Action and Proposed Action Alternatives on the natural, cultural, and social resources found within the USACE Proctor Lake Fee Boundary. Only those resources that have the potential to be affected by implementation of either alternative will be analyzed in this EA. The following resources were excluded from further impact analysis because the No Action nor the Proposed Action Alternatives will not have any impact on them: Hazardous, Toxic, and Radioactive Waste.

Impacts (consequence or effect) can be either beneficial or adverse and can be either directly related to the action or indirectly caused by the action. Direct effects are caused by the action and occur at the same time and place (40 CFR § 1508.8 [a]). Indirect effects are caused by the action and are later in time or further removed in distance but are still reasonably foreseeable (40 CFR § 1508.8 [b]). As discussed in this section, the alternatives may create temporary (less than 1 year), short-term (up to 3 years), long-term (3 to 10 years following the master plan revision), or permanent effects.

In considering whether the effects of the proposed action are significant, agencies shall analyze the potentially affected environment and degree of the effects of the action (40 CFR § 1501.3). In considering the potentially affected environment, agencies should consider, as appropriate to the specific action, the affected area (national, regional, or local) and its resources, such as listed species and designated critical habitat under the Endangered Species Act (40 CFR § 1501.3[b](1)). In considering the degree of the effects, agencies should consider the following, as appropriate to the specific action: both short- and long-term effects, both beneficial and adverse effects, effects on public health and safety, effects that would violate Federal, State, Tribal, or local law protecting the environment (40 CFR § 1501.3[b](2)). For the purpose of this analysis, the intensity of impacts will be classified as negligible, minor, moderate, or major. The intensity thresholds are defined as follows:

- Negligible: A resource would not be affected, or the effects would be at or below the level of detection, and changes would not be of any measurable or perceptible consequence.
- Minor: Effects on a resource would be detectable, although the effects would be localized, small, and of little consequence to the sustainability of the resource. Mitigation measures, if needed to offset adverse effects, would be simple and achievable.
- Moderate: Effects on a resource would be readily detectable, long-term, localized, and measurable. Mitigation measures, if needed to offset adverse effects, would be extensive and likely achievable.
- Major: Effects on a resource would be obvious and long-term, and would have substantial consequences on a regional scale. Mitigation measures to offset the adverse effects would be required and extensive, and success of the mitigation measures would not be guaranteed.

3.1 LAND USE

Proctor Dam and Lake are a multi-purpose project used for flood risk management, water supply, fish and wildlife, and recreation. The project is a unit of the Brazos River Basin System, which consists of nine USACE lakes and various channel improvements and levees operated to provide flood protection along the Brazos River. Proctor Dam operates with four other USACE Dams: Belton Dam, Stillhouse Hollow Dam, Granger Dam, and North San Gabriel Dam (Lake Georgetown) on the Little River System and San Gabriel River, to control floods at the Little River Gage at Cameron, Texas.

All of the land surrounding the water contained by Proctor Dam is owned and directly managed by the USACE with the exception of 2 undeveloped areas in Comanche County. These 2 areas are leased out to Comanche County, and each consists of an unimproved boat ramp. When these ramps are combined with the rest of the boat ramps spread throughout the lake there is a total of 7, along with 5 USACE-owned fishing piers. In addition to fishing and boating opportunities, Proctor Lake has 2 designated trails that are available for hiking and equestrian use with a total of 11 miles. The lake then offers 3 campgrounds that require reservations with a combined 253 campsites. Of these 3, there are 2 campgrounds with partial closure of campsites from October 1-March 31, and with 1 campground being completely closed during that same time frame. And then 1 campground that allows for camping but with a special use permit. There are 6 day-use areas with a total of 63 picnic sites and 6 designated swim areas.

Most visitors to Proctor Lake come from within a 100 miles radius of the lake (74.93%). Proctor Lake's visitors are a diverse group ranging from campers who utilize the campgrounds, full time and parttime residents of the nearby subdivisions that border the lake, waterfowl hunters who utilize the upper end of the lake area, day users who utilize the day use parks, designated swim beaches and boat ramps, and site seers.

3.1.1 Alternative 1: No Action

The No Action Alternative for Proctor Lake is defined as the USACE taking no action, which means the 1976 LMP would not be revised. No new resource analysis, resources management objectives, or shoreline allocations would occur. The operation and maintenance of USACE lands at Proctor Lake would continue as outlined in the existing 1976 LMP. Although this alternative does not result in a SMP that meets current regulations and guidance, there would be minor, long-term adverse, impacts on land use at Proctor Lake since the demand for recreational access would continue.

3.1.2 Alternative 2: Proposed Action

The objective of the 2024 SMP is to protect and manage shorelines of all Civil Works water resource development projects under the USACE jurisdiction in a manner that will promote the safe and responsible management of the shoreline and maintain environmental safeguards to ensure a quality resource for use by the public, while supporting the greater project missions. The objective of all management actions will be to achieve a balance between permitted private uses and resource protection for

general public use. The changes to shoreline use are effective zoning changes. The proposed shoreline allocations are not expected to have short- or long-term adverse effects; there will be a minor, long-term, beneficial impacts to sensitive environmental areas as new shoreline management plan allocations and updates to shoreline permit conditions.

3.2 WATER RESOURCES

Surface Water

The Leon River originates in Eastland County approximately 2 miles southeast of the town of Eastland, Texas, and flows in a southeasterly direction for approximately 299 miles to a point about 6 miles southeast of the city of Belton, Texas, where it joins the Lampasas River to form the Little River. The watershed lies in the central portion of Texas, between north latitudes 31°00′ and 32°31′ and west longitudes 97°21′ and 99°10′. The watershed of the Leon River has a total drainage area of 3,570 square miles.

Proctor Dam is located on the Leon River at river mile 238.9. Proctor Lake is formed by flows from the mainstem Leon River and right bank tributaries of Sabana River and Copperas Creek. The slope of the Leon River in the vicinity of Proctor Dam is about 3.0 feet per mile.

The Leon River has three fairly large tributaries that flow into its river system. Cowhouse Creek, the largest tributary, has a drainage area of 692 square miles and enters the Leon River at river mile 20.8 (within Belton Lake). Sabana River and Copperas Creek, which are the next two largest tributaries of the Leon River, enter the Leon River above Proctor Dam. Sabana River enters the Leon River at river mile 247.5 and has a drainage area of 299 square miles. Copperas Creek enters the Leon River at river mile 239.5 and has a drainage area of 284 square miles. The entire Proctor Lake project area encompasses approximately 3.6% of the entire Leon River watershed.

The Leon River was authorized by Congress for navigation as far as the City of Belton. However, a navigation system was never built due to it not being economically feasible.

Wetlands

Waters of the United States are defined within the Clean Water Act (CWA), and jurisdiction is addressed by the USACE and United States Environmental Protection Agency (USEPA). Wetlands are a subset of the waters of the United States that may be subject to regulation under Section 404 of the CWA (40 CFR 230.3). Wetlands are those areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wetland classifications presented are derived from the National Wetlands Inventory, which was established by USFWS to aid in conservation efforts by collecting nationwide wetland distribution and type information (USFWS, 2022). The inventory is based on a

single “snapshot” at the time of their survey and may not reflect conditions at conservation pool. Within the Proctor Lake project lands, wetlands generally occur near the rivers and flatter areas of the lake. Table 3-1 lists the acreages of various types of wetlands present at Proctor Lake and Figure 3-1 displays the distribution of wetland types at Proctor Lake.

Table 3-1. Total Acres of Wetland at Proctor Lake

Wetland Type	**Acres**
Freshwater Emergent Wetland	788.95
Freshwater Forested/Shrub Wetland	772.73
Freshwater Pond	12.61
Lake	4,325.51
Riverine	1,117.37
TOTAL ACRES of Water Resources	**7,017.17**

NOTE: Acreages differ from land and water surface calculations due to USFWS using a single snapshot of the water surface that may not reflect the actual conservation pool. Source: USFWS. 2023.

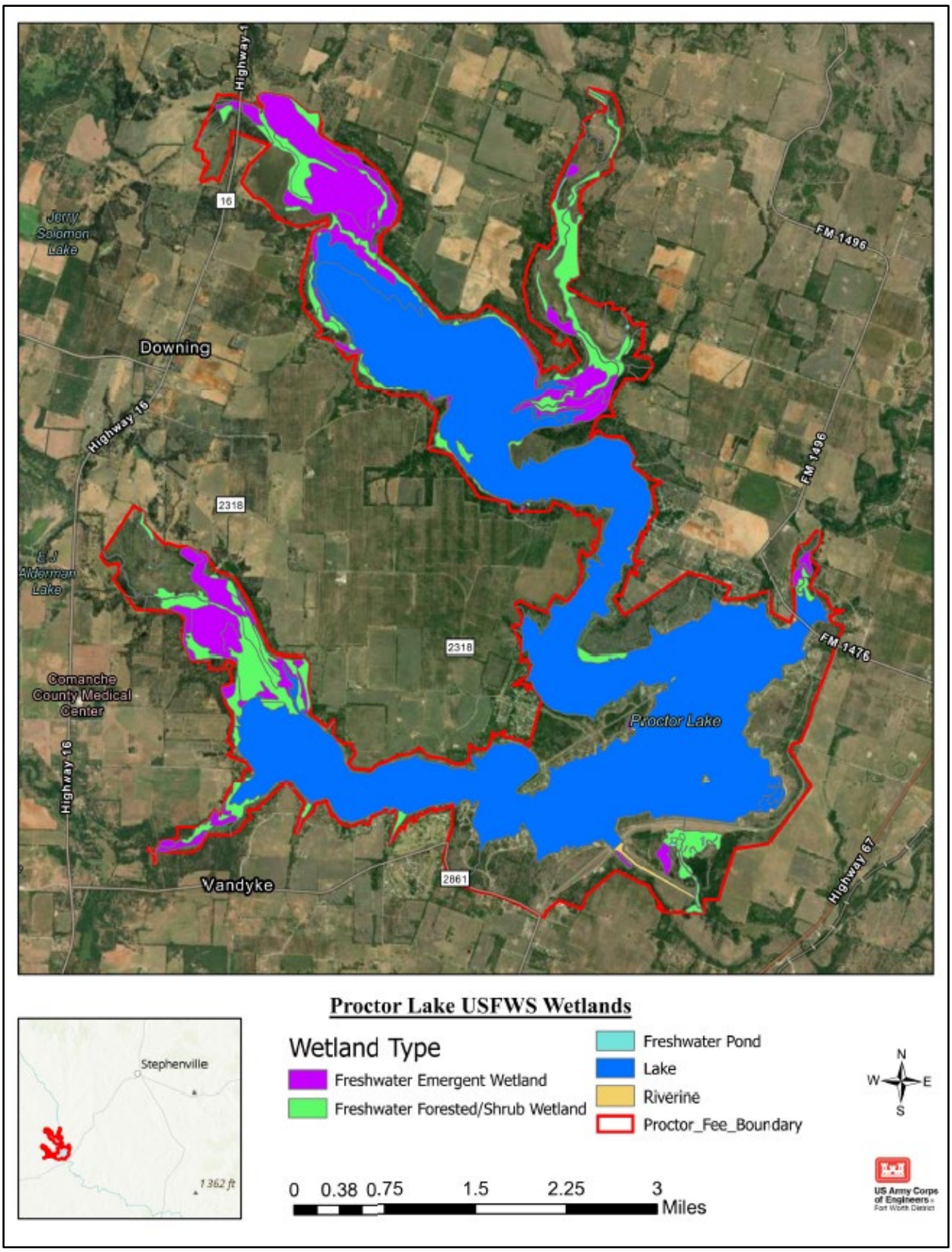

Figure 3-1. Wetland Types at Proctor Lake Source: USFWS 2023

Groundwater

Deep below Proctor Lake lies the Trinity aquifers, specifically the Northern Portion. The Trinity Aquifer extends across much of the central and northeastern portion of Texas. This major aquifer is composed of several smaller aquifers contained within the Trinity Group including the Antlers, Glen Rose, Paluxy, Twin Mountains, Travis Peak, Hensell, and Hosston. However, none of these minor aquifers are located beneath Proctor Lake.

The Trinity Aquifer is one of the most extensive and highly used groundwater resources in Texas. Although its primary use is for municipalities, it is also used for irrigation, livestock, industry, and other domestic purposes. Some of the state's largest water level declines, ranging from 350 to more than 1,000 feet, have occurred in counties along the Interstate 35 corridor from McLennan County to Grayson County. These declines are primarily attributed to municipal pumping, but they have slowed over the past decade as a result of increasing reliance on surface water.

In general, groundwater quality in the Trinity Aquifer is fresh but very hard in the outcrop. Total dissolved solids (TDS) increase from less than 1,000 milligrams per liter in the east and southeast to between 1,000 and 5,000 milligrams per liter, or slightly to moderately saline, as the depth of the aquifer increases. Sulfate and chloride concentrations also tend to increase with depth.

Hydrology

The Leon River watershed is subject to three general types of flood-producing rainfall: thunderstorms, frontal rainfall, and tropical cyclones. Generally, the highest 24-hour and monthly precipitation periods have occurred during major thunderstorms. However, there are some instances of heavy precipitation resulting from local thunderstorms. The maximum 24-hour rainfall recorded in or adjacent to the basin was 9.62 inches, which occurred at Temple, Texas on October 17, 1998. The maximum monthly rainfall reported was 14.76 inches, which occurred at the Lampasas River near Belton in September of 1936.

The Proctor Dam and Lake Project is an integral part of USACE plan for flood control on the Lower Brazos River and its tributaries. The plan presently consists of nine USACE flood control projects, known as Whitney Dam, Aquilla Dam, Waco Dam, Proctor Dam, Belton Dam, Stillhouse Hollow Dam, North San Gabriel Dam (Lake Georgetown), Granger Dam, and Somerville Dam. The Brazos River Authority (BRA) also owns and operates three other dams in the Brazos River basin for purposes of water conservation: Morris Sheppard Dam (Possum Kingdom Lake), DeCordova Bend Dam (Lake Granbury), and Sterling C. Robertson Dam (Lake Limestone). Proctor Dam operates with four other USACE Dams: Belton Dam, Stillhouse Hollow Dam, Granger Dam, and North San Gabriel Dam (Lake Georgetown) on the Little River System and San Gabriel River, to control floods at the Little River Gage at Cameron, Texas. The nine USACE dam projects in the Brazos River system control 36,830 square miles of drainage area of which 8,950 square miles are non-contributing. Proctor Dam controls 1,259 square miles of drainage area.

Surface waters are categorized to hydrologic units. Hydrologic units are classified by the United States Geologic Survey (USGS) using a Hydrologic Units Code system (HUCs). The units are classified from largest HUC with a two-digit region (e.g., Texas-Gulf Region) encompassing the largest area to a twelve-digit sub-watershed HUC. Town Bluff Project is classified into sub-watersheds as follows and as illustrated in Figure 3-2.

- 12: Texas-Gulf (HUC 2: Region)
  - 1207: Lower Brazos (HUC 4: Sub-Region)
    - 120702: Little Basin (HUC 6: Basin)
      - 12070201: Leon (HUC 8: Sub-Basin)
        - ✓ 1207020102: Armstrong Creek-Leon River (HUC 10: Watershed)
          - ♦ 120702010209: Walker Creek-Leon River (HUC 12: Sub-Watershed)
        - ✓ 1207020103: Copperas Creek (HUC 10: Watershed)
          - ♦ 120702010307: Duncan Creek-Proctor Lake (HUC 12: Sub-Watershed)
        - ✓ 1207020104: Sabana River (HUC 10: Watershed)
          - ♦ 120702010408: Sowell Creek (HUC 12: Sub-Watershed)
          - ♦ 120702010409: Sabana River-Proctor Lake (HUC 12: Sub-Watershed)
        - ✓ 1207020105: South Leon River-Leon River (HUC 10: Watershed)
          - ♦ 120702010501: Town of Proctor-Walnut Creek (HUC 12: Sub-Watershed)
          - ♦ 120702010503: Mustang Creek-Leon River (HUC 12: Sub-Watershed)

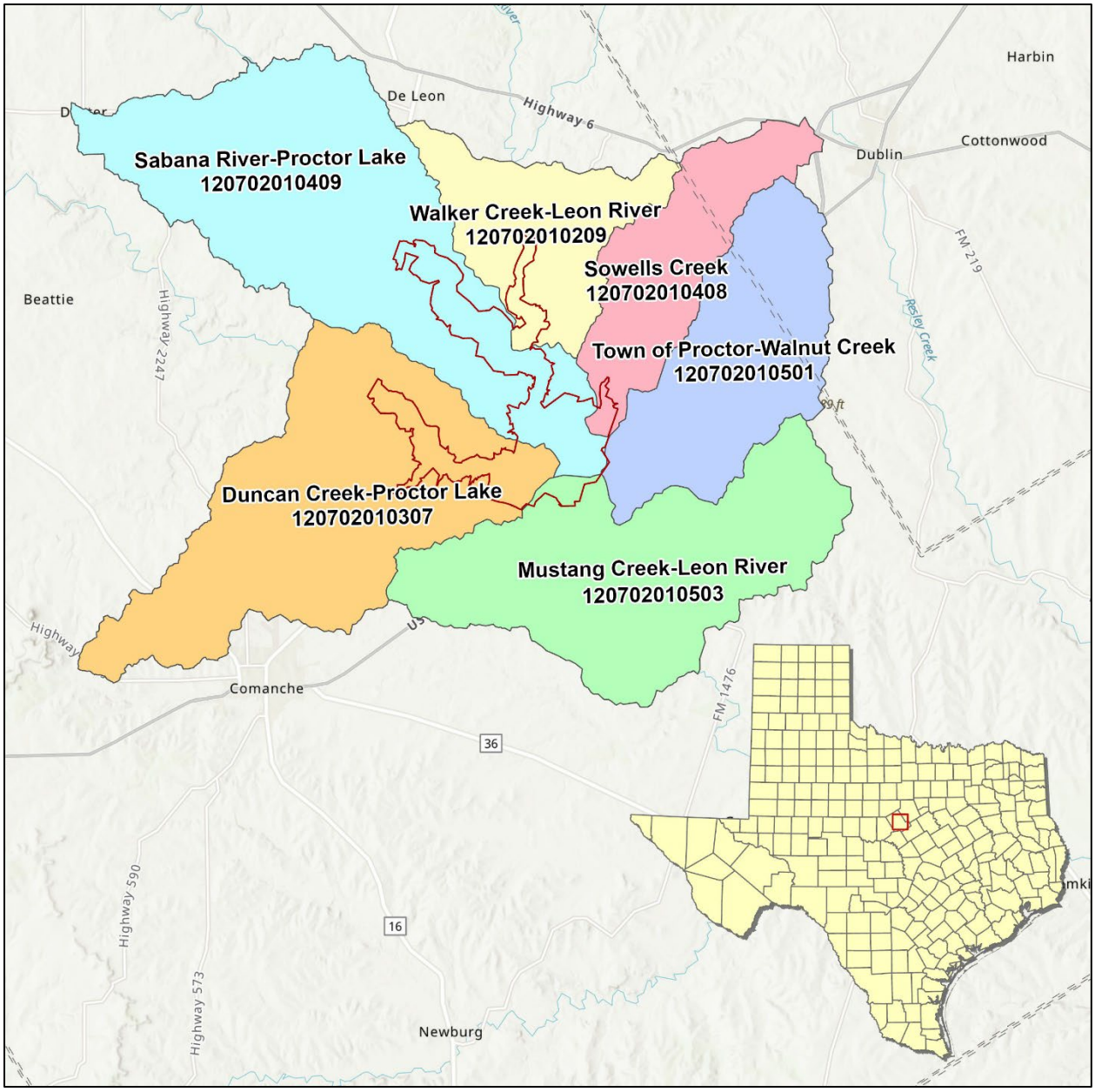

Figure 3-2. Hydrologic Classification for the Proctor Lake Project Area

Water Quality

Texas Commission on Environmental Quality (TCEQ) sets and implements standards for surface water quality to improve and maintain the quality of water in the state, based on various beneficial use categories for the water body. The Texas Integrated Report of Surface Water Quality, which is a requirement of the Federal Clean Water Act Sections 305(b) and 303(d), evaluates the quality of surface waters in Texas and identifies those that do not meet uses and criteria defined in the Texas Surface Water Quality Standards (TSWQS). The Texas Integrated Report describes the status of Texas' natural waters based on historical data and assigns waterways to various categories depending on the extent to which they attain the TSWQS.

Existing water quality within Proctor Lake is affected by rainfall and associated stormwater flows originating from residential, commercial, and industrial point and nonpoint sources from properties upstream of the dam and reservoir. These stormwater flows have increased over time as a result of increased urbanization and development, increasing the risk for pollution from runoff. Sedimentation from within the watershed tends to increase turbidity and decrease dissolved oxygen levels, as will lower rainfall especially during summer months. Both turbidity and low oxygen levels can negatively affect aquatic life due to reduced photosynthesis at lower depths and decreased oxygen, greatly affecting animal life.

The 2022 Texas Integrated Report - Texas 303(d) List (TCEQ, 2023) does identify a segment within Proctor Lake fee boundary as to exceeding TSWQS for bacteria in water (recreation use) within the Leon River below Proctor Lake Dam.

The Texas Department of State Health Services (DSHS) Seafood and Aquatic Life Group purpose is to address and prevent/reduce any disease-causing agent from occurring that can be transferred from aquatic life to humans within the State of Texas. As of November 2023, the DSHS has not issued any fish consumption advisories for Proctor Lake, as well as the Leon River below Proctor Dam within USACE Fee Owned Property.

Water Supply

For the purpose of water supply, a water supply contract with the BRA was approved on July 1, 1960 for 100% (31,400 acre-feet [ac-ft]) of the conservation storage below elevation 1,162.0 feet. A supplemental agreement to this contract was approved May 9, 1966, to divide the water supply storage space into 20% (6,280 ac-ft) for present supply and 80% (25,120 ac-ft) for future supply. Per the contract, BRA is paying a share of the annual Operations and Maintenance (O&M) cost for this water supply storage space. A water supply intake facility is located within the stilling basin; a water intake pipeline occupies the right side of the gate; and a pump and pipeline are located downstream of the embankment.

3.2.1 Alternative 1: No Action

There would be no impacts on water resources as a result of implementing the No Action Alternative, since there would be no change to the existing SMP.

3.2.2 Alternative 2: Proposed Action

The new changes to shoreline designations will have minor, beneficial, long-term effects to water quality. Beneficial effects will result from retaining PRA and PSA areas mostly unchanged, which will not exacerbate existing possible sources of pollution and erosion. This is achieved by retaining existing management of vegetation communities in these areas, which improves water quality due to continual stabilization of soils. Soil stabilization reduces turbidity and potential runoff issues. Increased requirements on construction of personal flotation facilities (PFF) and flotation materials will also help improve water quality.

3.3 CLIMATE, CLIMATE CHANGE AND GREENHOUSE GAS

Proctor Lake lies in north central Texas which has a warm, temperate, continental climate with cool winters and hot, humid summers. Tropical maritime air masses from the Gulf of Mexico play a dominant role in the climate from late spring through early fall, while polar air masses determine the winter climate. The mean annual temperature for the lake is about 66.3 degrees Fahrenheit (°F) (NOAA, 2023A). January, the coldest month, has an average temperature of 46.5°F and average minimum daily temperature of about 34.0°F. August and July are the warmest months, with an average daily temperature of 72.4°F and have an average maximum daily temperature of 84.5°F in July and in August. The average length of the growing season is 216 days (NOAA, 2023B). Proctor Lake lies within the USDA Plant Hardiness Zone 8A, which is determined by the winter extreme low temperatures, with 8A having normal winter lows between 10°F and 15°F (USDA, 2022).

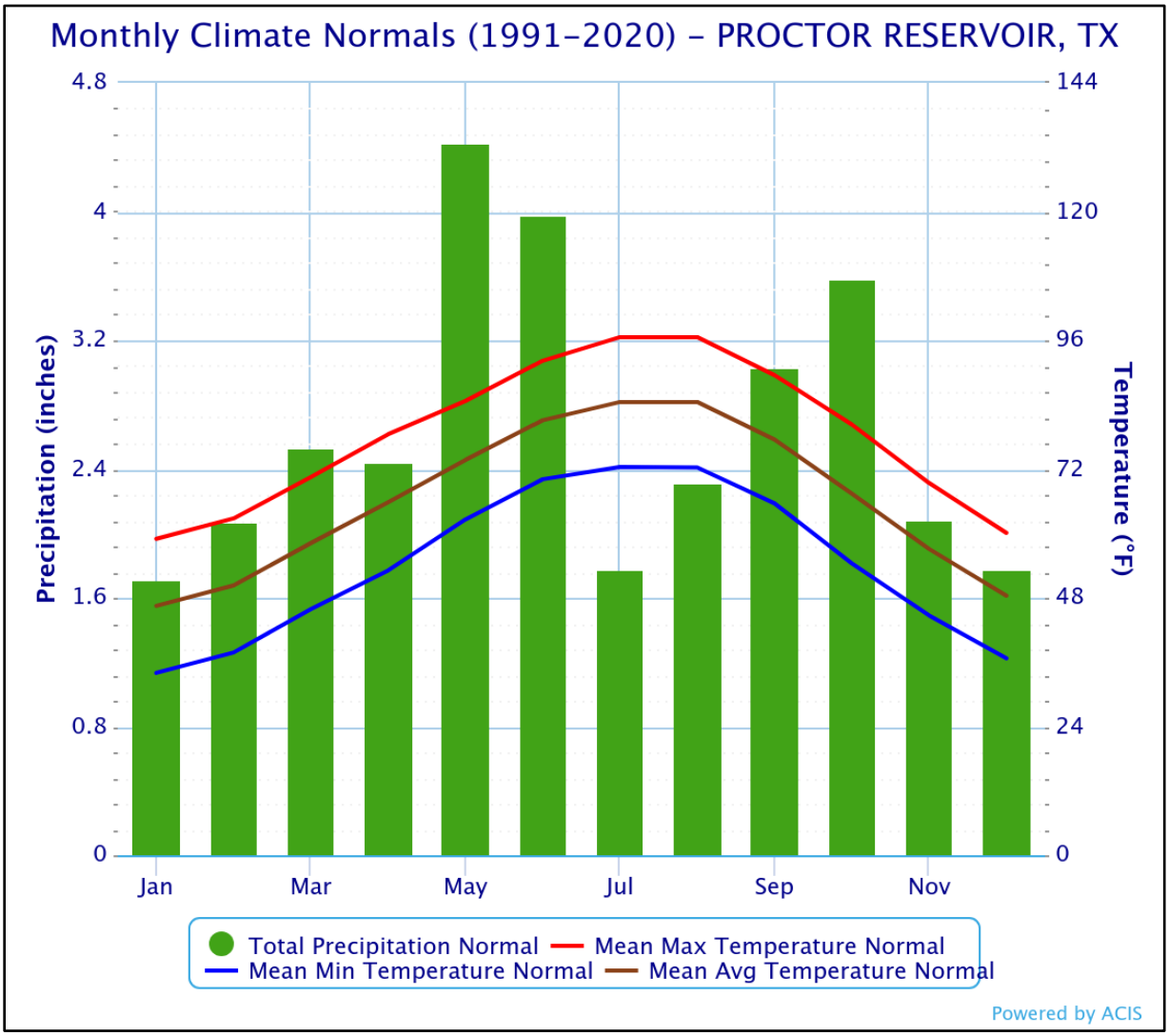

Figure 3-3. Average Monthly Climate near Proctor Lake, 1991 – 2020
Source: NOAA, 2022A.

The normal annual precipitation is 38.44 inches with greater precipitation during spring and fall, and less precipitation during summer and winter. Because of the preponderance of tropical maritime air, heavy showers of short duration may occur at any time during the year.

The average annual evaporation rate at Proctor Lake, as calculated using the measured pan evaporation multiplied by the monthly pan coefficient, is about 65 inches with the lowest evaporations rates occurring during the winter and greatest evaporation occurring during the summer (USACE, 2017).

Climate Change and Green House Gas Emissions

The U.S. Global Change Research Program (USGCRP) looks at potential impacts of climate change globally, nationally, regionally, and by resource (e.g., water resources, ecosystems, human health). Proctor Lake area lies within the Southern Great Plains region of analysis. The Southern Great Plains region has already seen evidence of climate change in the form of rising temperatures that are leading to increased demand for water and energy and impacts on agricultural practices. Over the last few decades, the Southern Great Plains has seen fewer cold days in winter and more hot days in summer, as well as changes to precipitation patterns. The decrease in the cold days has resulted in an overall increase of the frost-free season. Within this region, there has been an increase in average temperatures of 1-2° Fahrenheit (F) since 1901 (Kloesel et al., 2018). The changing precipitation patterns in the region has led to more frequent extreme droughts, storms, and flood events. If the current rate of greenhouse gas (GHG) emissions continues, the potential increase will be much higher by 2100.

The USACE mission for the Responses to Climate Change Program is “to develop, implement, and assess adjustments or changes in operations and decision environments to enhance resilience or reduce vulnerability of USACE projects, systems, and programs to observed or expected changes in climate.” The effects of climate change and mitigation efforts are evolving, and Proctor Lake and all federally owned property will be managed to comply with laws and executive orders to respond to the growing threat of climate change.

3.3.1 Alternative 1: No Action

The No Action Alternative does not involve any activities that would contribute to changes in existing conditions. There would be no impacts on climate, climate change, and GHG as a result of implementing the No Action Alternative.

3.3.2 Alternative 2: Proposed Action

The 2024 SMP will have no impact on the climate of the study area. Current Proctor Lake climate monitoring programs will not be changed. There will be no impacts on climate, climate change or contributions to GHG emissions as a result of implementing the 2024 SMP. In the event that GHG emission issues become significant enough to impact the current operations at Proctor Lake, the 2024 SMP and all associated documents will be reviewed and revised as necessary.

3.4 AIR QUALITY

The U.S. Environmental Protection Agency (EPA) established nationwide air quality standards to protect public health and welfare in 1971. The State of Texas has adopted the National Ambient Air Quality Standards (NAAQS) as the state's air quality criteria. NAAQS standards specify maximum permissible short- and long-term concentrations of various air contaminants including primary and secondary standards for six criteria pollutants: Ozone (O_3), Carbon Monoxide (CO), Sulfur Dioxide (SO2), Nitrous Oxides (NO_x), particulate matter (PM_{10} and $PM_{2.5}$), and Lead (Pb). If the concentrations of one or more criteria pollutants in a geographic area is found to exceed the regulated "threshold" level for one or more of the NAAQS, the area may be classified as a non-attainment area. Areas with concentrations that are below the established NAAQS levels are considered either attainment or unclassifiable areas. In the case of Proctor Lake, it is in attainment for all criteria air pollutants (TCEQ, 2023).

3.4.1 Alternative 1: No Action

The continued implementation of the 1976 LMP would not result in any changes to current and reasonably foreseeable future air quality in the region. No new increase in vehicular traffic, mass permanent vegetation removal, or the building of mass industrial facilities would occur as result of implementing this alternative. The No Action Alternative would remain compliant with the Clean Air Act because the 2024 SMP includes only guidelines and does not incorporate actions which produce criteria pollutants. The No Action Alternative would not have any impacts on air quality.

3.4.2 Alternative 2: Proposed Action

Existing operation and management of Proctor Lake is compliant with the Clean Air Act and will not change with implementation of the 2024 SMP. Under the Proposed Action, there will be no impacts to air quality.

Due to the keeping PSA miles area management under a similar management style of PRA, there will be the same amount of area available for development or construction actions. The significance of this action is that it keeps negative impacts to air quality to areas that consistent with the existing condition under the 1976 LMP. No impacts to air emissions will occur within Proctor Lake because no new structures and recreational features will be built within Proctor Lake fee boundary as a result of the 2024 SMP nor will the SMP promote an increase of activities that will alter air quality.

3.5 TOPOGRAPHY, GEOLOGY, AND SOILS

Geology

Proctor Lake lies mostly along a strip of Holocene Alluvium soil that flanks the Sabana and Leon Rivers and Rush Creek. This alluvial band crosses the broad Twin Mountains Formation with stretches of the older Pre-Brazos River Sandstone having eroded along the upper reaches of Sabana River and Rush Creek and pockets of Terrace Deposits where early erosive deposits accumulated. The Twin Mountains geologic formation is primarily composed of sandstone, claystone, and conglomerate,

approximately 150 feet deep in this area and is underlain by the Glen Rose Limestone, which is an Early Cretaceous layer of limestone, clay, and mud, outcropping a mile from either side of the lake. The Glen Rose Limestone has stairstep topography, the limestone is aphanitic to fine grained, argillaceous and silty, the sand is thin bedded, the clay and claystone is partly sandy, marly and recessive. The formations are shown below in Figure 3-4 and are described in the following paragraph.

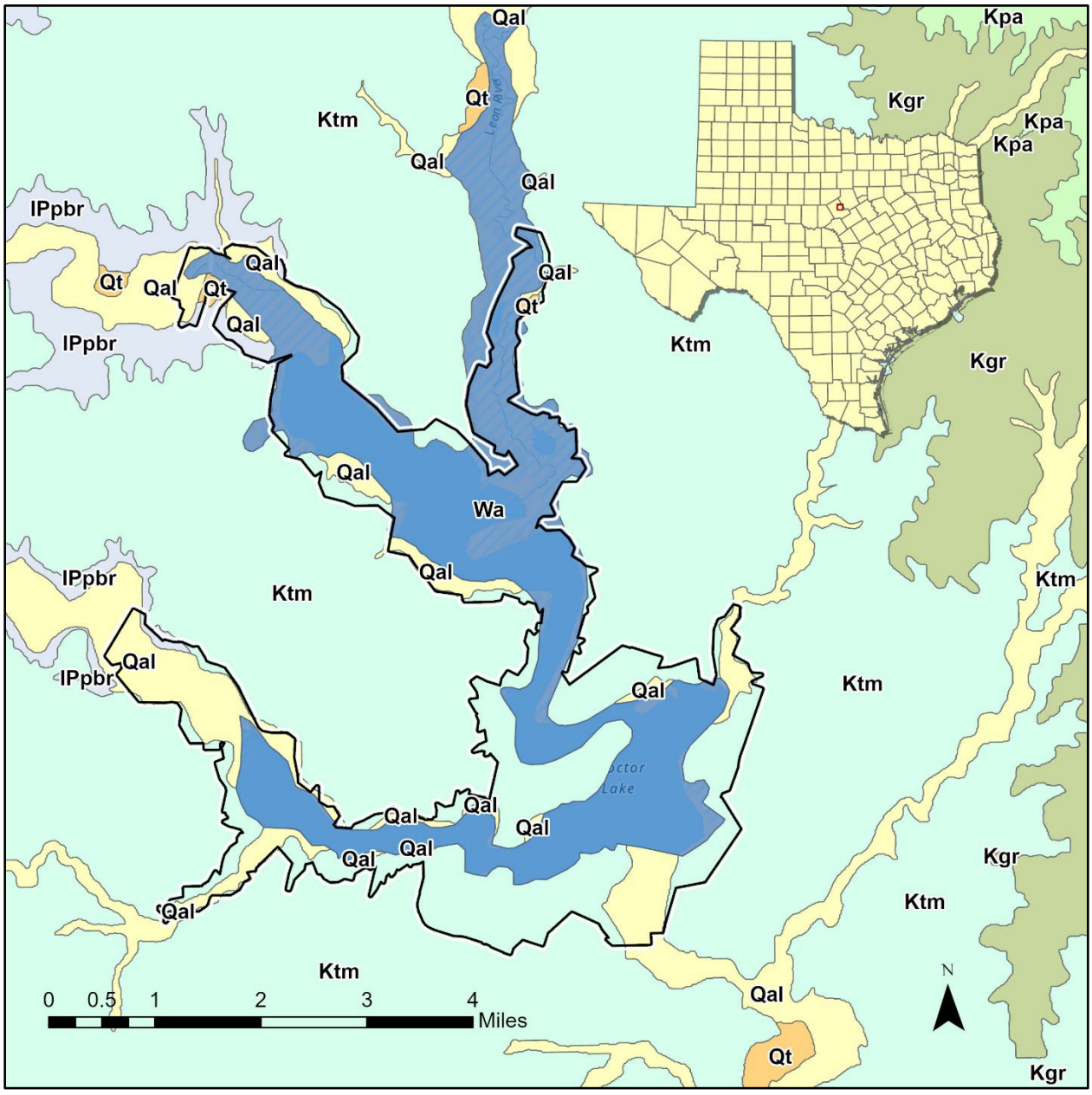

Figure 3-4. Geologic Formations around Proctor Lake

– Qal: Alluvium; Holocene Age; Clay, silt, sand (mostly quartz), gravel, and organic matter. Gravel along Rio Grande consists of Cretaceous and Tertiary

sedimentary and igneous rock clasts; also includes side stream alluvial gravels consisting of Tertiary rock clasts and chert derived from the Uvalde gravel.
- Qt: Terrace Deposits; Pleistocene Age; Terrace deposits; Rio Grande River terraces consisting of gravel, sand, silt, and clay; exposed on north side of Rio Grande from Falcon Reservoir to Los Ebanos.
- Ktm: Twin Mountains Formation; Aptian/Early Cretaceous Age; dominant geological formation across the watershed, primarily composed of sandstone, claystone, and conglomerate, approximately 150 feet deep in the Proctor Lake area.
- IPpbr: Pre-Brazos River Sandstone undivided; Mid-Pennsylvanian Age; mostly sandstones, with some limestones and mudstone lentils. The sandstones form thin discontinuous sheets and small channel fills with fewer beds near the top.
- Wa: Water surface, unclassified floodplains, and unclassified wetlands.

Topography

The topography of Proctor Lake is typical of Comanche County with gentle rolling hills and various soils and geology influenced by ancient shorelines, seabeds, and modern alluvial patterns. The Leon River, the principal tributary of the Little River and a secondary tributary of the Brazos River, rises from an elevation at about 1,800 feet at the headwaters and flows southeasterly to its mouth, just downstream of Belton Dam, where the elevation is approximately 440 feet. The Leon River crosses through limestone, sandstone, and scattered ancient gravel beds. The mouth of the Leon River is the confluence of where the Lampasas River joins the Leon River and officially where the Little River begins. Its source begins in a moderately cultivated narrow valley with shallow limestone and sandstone soils in Eastland County. The watershed lies within the Palo Pinto Section, West Cross Timbers, and Lampasas Cut Plain physiographic ecoregions. The About three-quarters of the watershed area is classified as agricultural range land and one-sixth is forest. The remaining area is a combination of residential, industrial, transportation, and military land.

Soils

The main soil series within Proctor Lake Project Lands is the Deleon clay, frequently flooded. This soil makes up 23.55% of soils found within Proctor Lake project lands. The soil occurs in more than 80 inches thick surface layers, normally found in floodplains, is moderately well drained, is a clay derived from clay alluvium, and is not a prime farmland soil.

A number of soil groups lay within the Leon River watershed. Proctor Lake lies in the Western Cross Timbers subregion of the Cross Timbers ecoregion, and the lower portion of the basin lies in the Limestone Cut Plain subregion. The basin also lies on the border of the Blackland Prairie and Edwards Plateau ecoregions. The Western Cross Timbers subregion is characterized by fine sandy loams with clay subsoils that retain water. The Limestone Cut Plain subregion is characterized by alternating layers of limestone, chert, and marl that erode differentially. In the Blackland Prairie, both upland and bottomland soils are deep, dark gray to black alkaline clays. Some soils in the western part of the watershed are shallow to moderately deep overlying a chalk

foundation. Blackland soils are known as “cracking clays” because of the large, deep cracks that form in dry weather. This high shrink-swell property can cause serious damage to foundations, highways, and other structures and is a safety hazard in pits and trenches. In the Edwards Plateau area, Upland soils are mostly shallow, stony, or gravelly, dark alkaline clays, and clay loams underlain by limestone. Lighter-colored soils are on steep side slopes and deep, less-stony soils are in the valleys. Bottomland soils are mostly deep, dark-gray or brown, alkaline loams and clays.

The NRCS Web Soil Survey (2022) reports 31 soil types occurring within Proctor Lake project lands. Table 3-2 shows the acreage and farmland status associated with each soil and surface type in the detention area while Figures 3-5, 3-6, 3-7, and 3-8 show the location of the soils.

Table 3-2. Acres of Surface Soil Types within Proctor Lake Project Lands

Soil Type	Number of Acres	Percent Total	Farmland Status
Bastrop loamy fine sand, 1 to 5 percent slopes	4.1	0.09%	Prime farmland if irrigated
Brackett soils, 8 to 30 percent slopes	175.0	3.99%	Not prime farmland
Brackett-Karnes complex, 1 to 12 percent slopes	22.5	0.51%	Not prime farmland
Chaney loamy sand, 1 to 5 percent slopes	528.1	12.04%	Prime farmland if irrigated
Chaney loamy sand, 1 to 5 percent slopes, eroded	208.7	4.76%	Not prime farmland
Chaney loamy sand, 1 to 8 percent slopes, severely eroded	11.5	0.26%	Not prime farmland
Chaney loamy sand, 5 to 8 percent slopes	109.2	2.49%	Not prime farmland
Chaney stony loamy sand, 1 to 8 percent slopes, extremely stony	0.7	0.02%	Not prime farmland
Cisco loamy fine sand, 1 to 5 percent slopes	71.6	1.63%	All areas are prime farmland
Clairette loam, 3 to 5 percent slopes	1.6	0.04%	All areas are prime farmland
Deleon clay, frequently flooded	1,033.1	23.55%	Not prime farmland
Demona loamy sand, 0 to 5 percent slopes	115.8	2.64%	Farmland of statewide importance, if irrigated

Soil Type	Number of Acres	Percent Total	Farmland Status
Energy fine sandy loam, occasionally flooded	39.4	0.90%	Not prime farmland
Energy soils, frequently flooded	838.2	19.10%	Not prime farmland
Fairy-Hico complex, 1 to 5 percent slopes, moderately eroded	11.1	0.25%	Farmland of statewide importance
Heaton loamy fine sand, 0 to 5 percent slopes	207.4	4.73%	Prime farmland if irrigated
Hico and Windthorst sandy clay loams, 1 to 8 percent slopes, severely eroded	107.5	2.45%	Not prime farmland
Hico-Fairy complex, 3 to 8 percent slopes, moderately eroded	55.7	1.27%	Farmland of statewide importance
Karnes loam, 1 to 5 percent slopes	6.8	0.15%	Farmland of statewide importance, if irrigated
Karnes loam, 5 to 8 percent slopes	22.8	0.52%	Not prime farmland
Menard fine sandy loam, 3 to 5 percent slopes	9.4	0.21%	All areas are prime farmland
Menard fine sandy loam, 5 to 8 percent slopes	0.7	0.02%	Not prime farmland
Menard soils, 1 to 5 percent slopes, eroded	0.1	0.00%	Not prime farmland
Nimrod fine sand, 0 to 5 percent slopes	28.9	0.66%	Not prime farmland
Owens clay, 5 to 30 percent slopes, extremely stony	10.3	0.23%	Not prime farmland
Patilo-Arenosa-Nimrod complex, 0 to 5 percent slopes	88.8	2.02%	Not prime farmland
Pedernales fine sandy loam, 1 to 5 percent slopes, moderately eroded	50.8	1.16%	Not prime farmland
Pedernales fine sandy loam, 3 to 5 percent slopes	129.8	2.96%	All areas are prime farmland
Pedernales fine sandy loam, 5 to 8 percent slopes	247.9	5.65%	Not prime farmland
Pedernales loamy fine sand, 1 to 5 percent slopes	229.9	5.24%	Prime farmland if irrigated

Soil Type	Number of Acres	Percent Total	Farmland Status
Pedernales soils and Gullied land, 1 to 8 percent slopes, severely eroded	20.3	0.46%	Not prime farmland
Total Acres	4,387.7		

NRCS 2022. Please note that there is a difference between total acreages listed by the NRCS and USACE due to the difference of mapping techniques and water surface elevations used to map out those acreages.

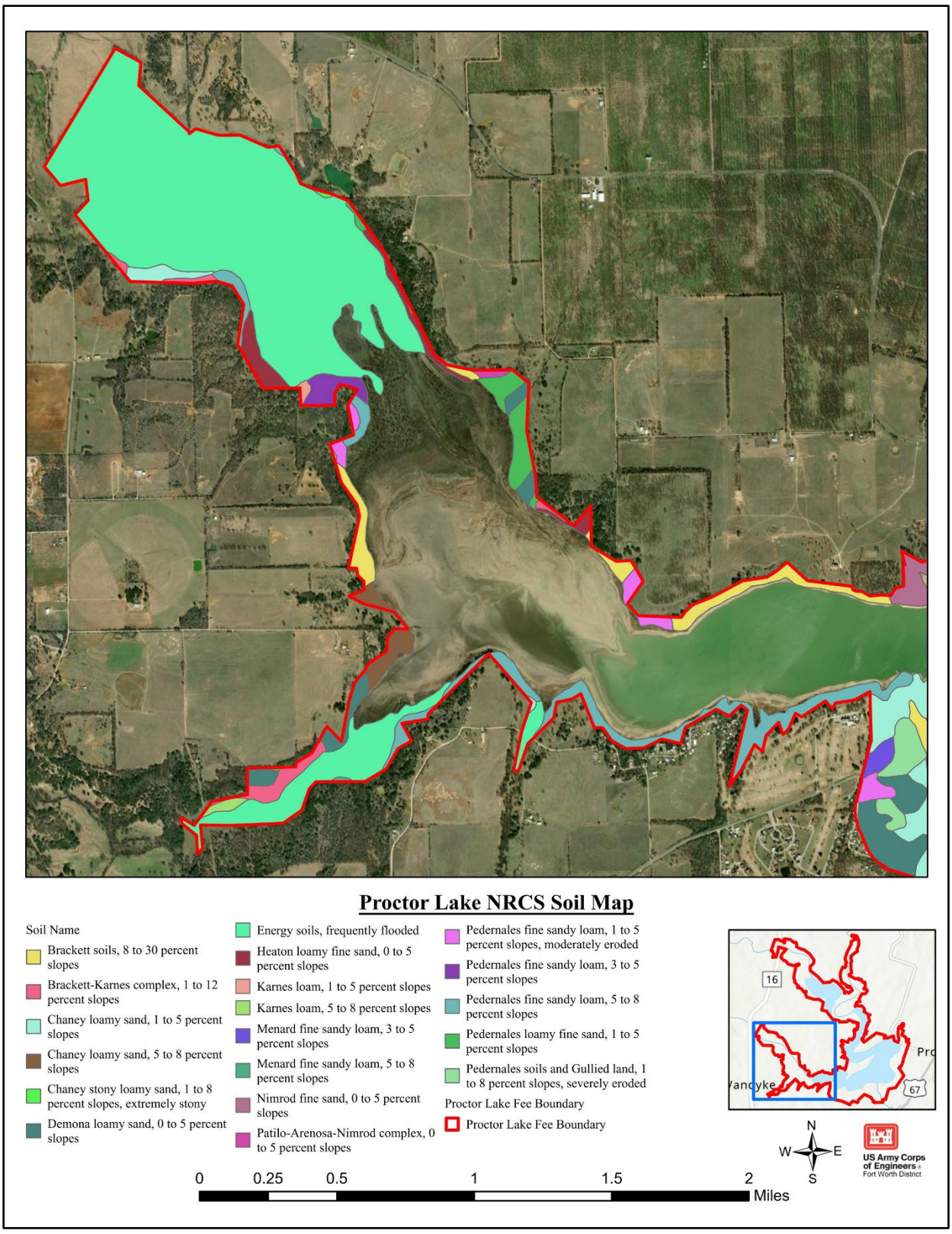

Figure 3-5. Proctor Lake NRCS Soil Map 1 of 4

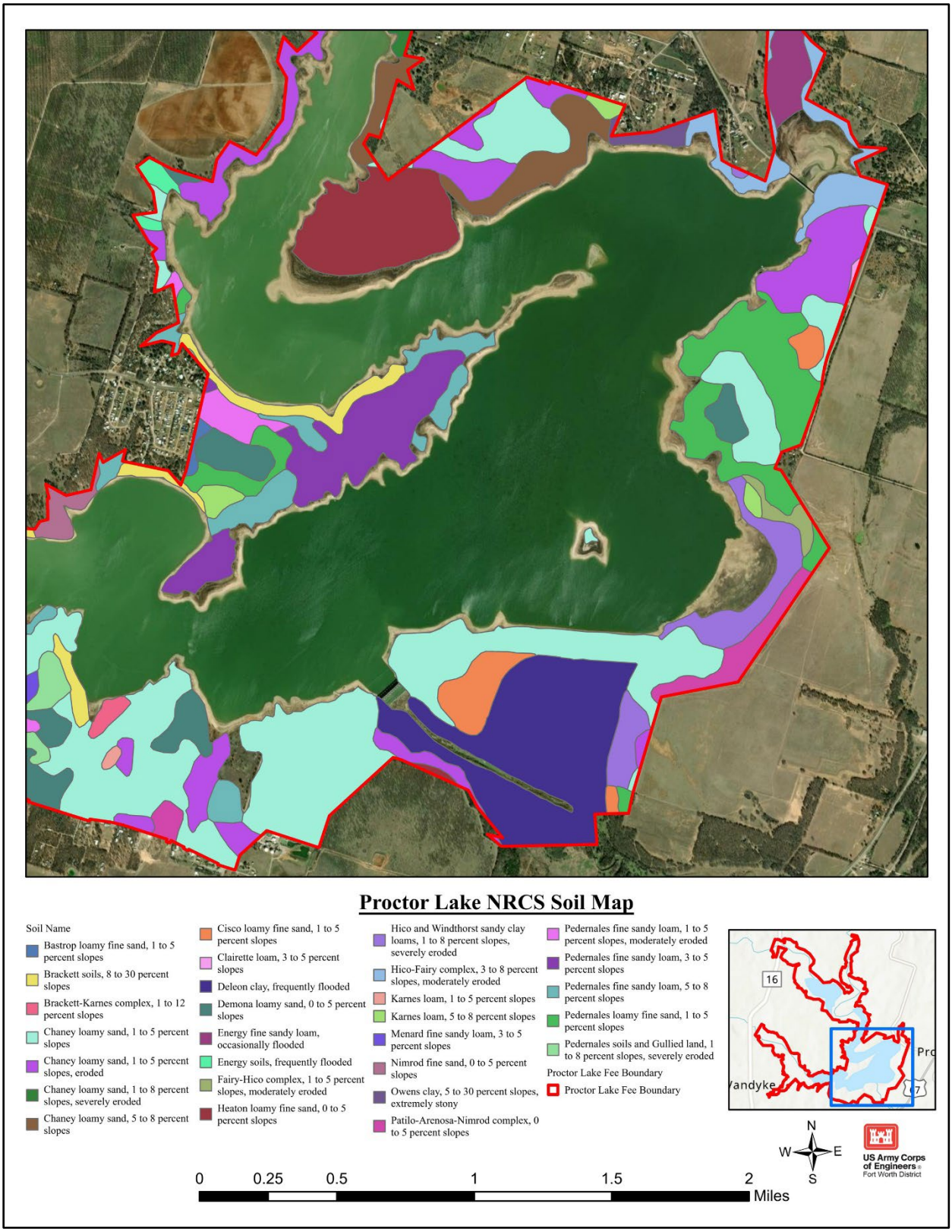

Figure 3-6 Proctor Lake NRCS Soil Map 2 of 4

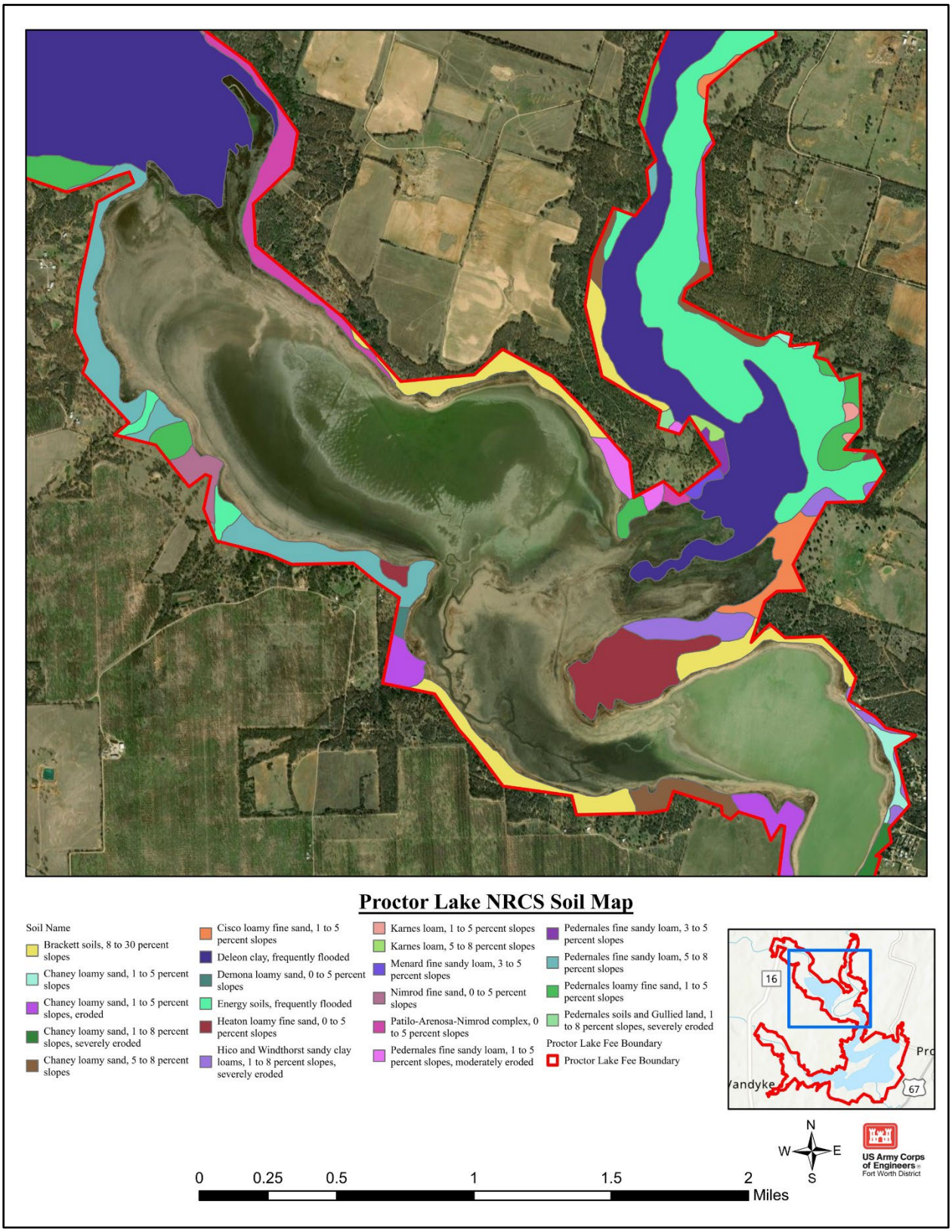

Figure 3-7 Proctor Lake NRCS Soil Map 3 of 4

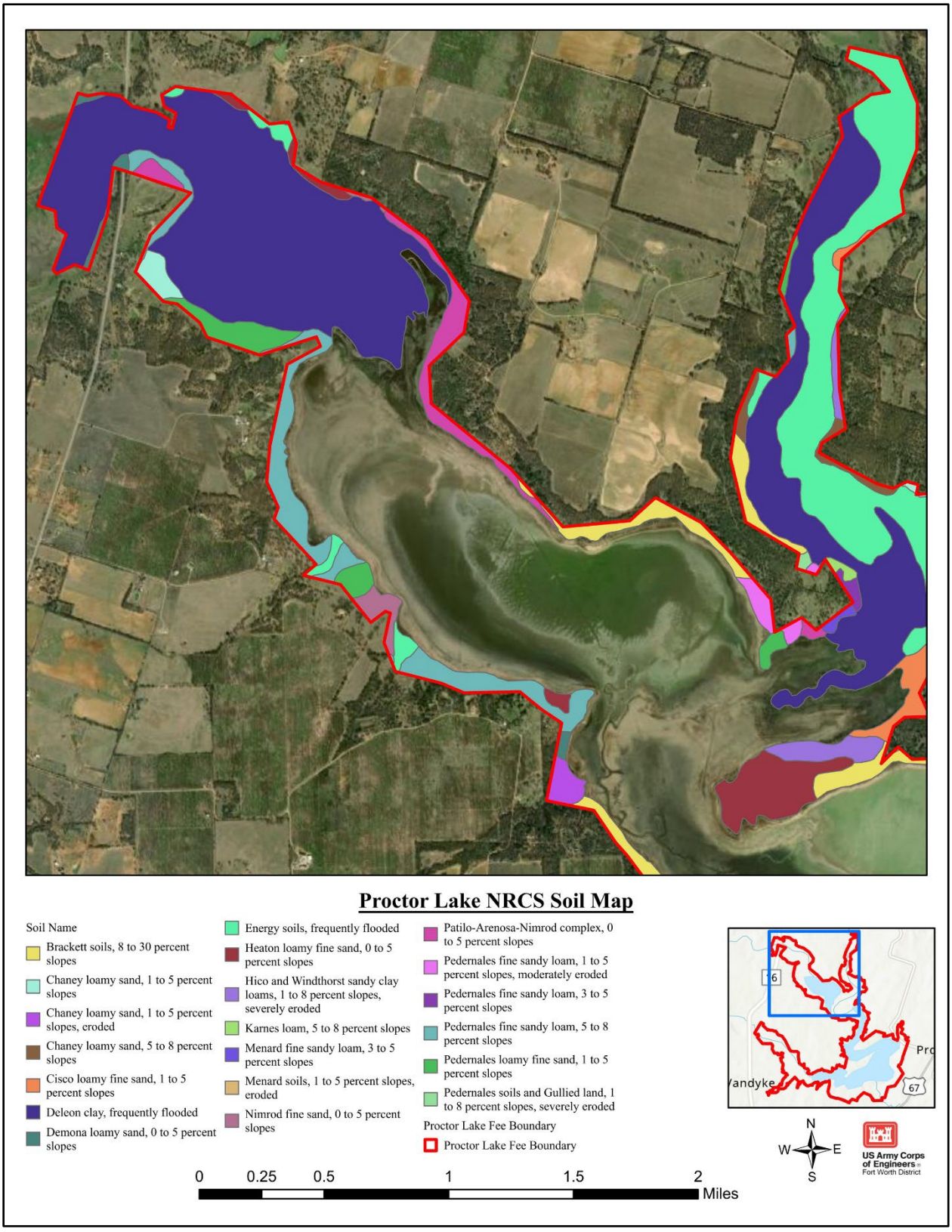

Figure 3-8 Proctor Lake NRCS Soil Map 4 of 4

Prime Farmland

As required by Section 1541(b) of the Farmland Protection Policy Act (FPPA) of 1980 and 1995, 7 U.S.C. 4202(b), federal and state agencies, as well as projects funded with federal funds, are required to (a) use the criteria to identify and take into account the adverse effects of their programs on the preservation of farmland, (b) consider alternative actions, as appropriate, that could lessen adverse effects, and (c) ensure that their programs, to the extent practicable, are compatible with state and units of local government and private programs and policies to protect farmland.

There are several soil types in the study area that are considered prime farmland soils or soils associated with farmlands of state importance. However, the lands represented by these soil types have not been used for farming since the lands were acquired prior to the initiation of construction of Proctor Lake in 1960.

3.5.1 Alternative 1: No Action

The No Action Alternative does not involve any activities that would contribute to changes in existing conditions, so there would be no impacts on topography, geology, soils, Prime Farmlands, sedimentation, or shoreline erosion as a result of implementing the No Action alternative.

3.5.2 Alternative 2: Proposed Action

The Proposed Action Alternative will help to keep erosion and the loss of soil stability to the same high-risk areas as the 1976 LMP will allow by managing PLAs under a very similar management style of PSA. The reclassifying of PLAs to PSA will limit public use and the degradation of existing topography, geology, soils, Prime Farmland, sedimentation, or shoreline erosion. Continued restrictions on development will also help to reduce these types of impacts. The Proposed Action Alternative will have minor, long-term, beneficial impacts to topography, geology, soils, sedimentation, shoreline erosion, and prime farmlands. The new changes regarding stairways will also help to reduce erosion along the shoreline. Changes to policy in vegetation management may also serve to stabilize the soil, by allowing extant plants to colonize areas that may have been previously mowed.

3.6 NATURAL RESOURCES

Operational civil works projects administered by USACE are required, with few exceptions, to prepare an inventory of natural resources. The basic inventory required is referred to within USACE regulations (ER and EP 1130-2-540) as a Level One Inventory. This inventory includes the following: vegetation in accordance with the National Vegetation Classification System through the sub-class level; assessment of the potential presence of special status species including but not limited to Federal and state listed endangered and threatened species, migratory species, and birds of conservation concern listed by the USFWS; land (soils) capability classes in accordance with NRCS soil surveys; and wetlands, which are previously discussed in Section 3.2. In

addition to the data from the Level One Inventories, a Wildlife Habitat Appraisal Procedure (WHAP) was conducted.

TPWD's Wildlife Habitat Appraisal Procedure (WHAP) was used to assist in the preparation of the 2024 MP and SMP. The assessment was conducted from May 1 to May 3, 2023, at Proctor Lake by a multi-agency team from TPWD, SWF Operations, and the Regional Planning and Environmental Center (RPEC). A total of 101 data collection sites were selected using aerial photography and knowledge of the Proctor Lake staff. The three major habitat types that were selected and assessed were riparian/bottomland hardwood forests (BHF), upland forests, and grasslands. The WHAP assessment report can be found in Appendix C of this Plan.

The WHAP assessment revealed that the two most abundant habitat types surveyed were upland forests and grasslands. These two habitat types also scored the highest on average scores. From this assessment, no one area of the lake was determined to having greatest site potential but rather these areas were scattered throughout the lake.

Vegetation

Proctor Lake is located within the Cross Timbers ecological region. The Cross Timbers Ecoregion encompasses approximately 26,000 square miles in north and central Texas and is the largest ecoregion of north-central Texas. It can be further divided into four vegetative sub-regions: Eastern Cross Timbers, Fort Worth Prairie, Lampasas Cut Plain, and Western Cross Timbers. The entire Proctor Lake project area is located completely within the Western Cross Timbers vegetative sub-region of the Cross Timbers Ecoregion.

The common grass and forb species for the Cross Timber Ecoregion include little bluestem (*Schizachyrium scoparium*), big bluestem (*Andropogon gerardi*), buffalograss (*Bouteloua dactyloides*), big muhly (*Muhlenbergia lindheimeri*), eastern gamagrass (*Tripsacum dactyloides*), and sideoats grama (*Bouteloua curtipendula*). Slopes and upland forests support honey mesquites (*Prosopis glandulosa*) and several cedars and junipers (*Juniperus* spp.), and have become more prevalent due to the absence of regular fires. What areas that are not prairies are dominated by junipers, post oaks (*Quercus stellata*) and blackjack oaks (*Quercus marilandica*). These oak forests are incredibly dense in tree count and are diversified with other tree species like pecan (*Carya illinoinensis*), black walnut (*Juglans nigra*), little walnut (*Juglans microcarpa*), American sycamore (*Platanus occidentalis*), eastern cottonwood (*Populus deltoides*), plateau liveoak (*Quercus fusiformis*), bur oak (*Quercus macrocarpa*), American elm (*Ulmus americana*), Texas persimmon (*Diospyros texana*), honey mesquite (*Prosopis glandulosa*), lance-leaf sumac (*Rhus lanceolate*), and Mexican plum (*Prunus mexicana*).

This region like so many other ecological regions in Texas have undergone significant changes in the past 150 years. Although habitat for wildlife is present throughout the ecological regions as a whole, populations vary considerably within sub-regions. The diversity and configuration of the plant communities on the landscape

influence wildlife populations. Other factors include fragmentation of once continuous habitat into smaller land holdings; competition for food and cover with livestock; conversion of woodland habitat to improved pastures, or urban and rural developments; and lack of proper wildlife and habitat management.

While the above plants and vegetive communities are typical for the Cross Timbers Ecoregion as a whole, many are not common at Proctor Lake. Specifically, common tree and shrub species at Proctor Lake include western soapberry (*Sapinus drummondii*), gum bumelia (*Sideroxylon lanuginosum*), buttonbush (*Cephalanthus occidentalis*), black willow (*Salix nigra*), cottonwood (*Populus deltoides*), cedar elm (*Ulmus crassifolia*), pecan (*Carya illinoinensis*), post oak (*Quercus stellata*), bastard oak (*Quercus sinuate*), honey mesquite (*Prosopis glandulosa*), and hackberries (*Celtis* spp.). Common herbaceous species include Texas bluebonnet (*Lupinus texensis*), Indian blanket (*Gaillardia pulchella*), upright prairie coneflower (*Ratibida columnifera*), Texas paintbrush (*Castilleja indivisa*), American germander (*Teucrium canadense*), giant ragweed (*Ambrosia trifida*), Texas thistle (*Cirsium texanum*), Venus looking glass (*Triodanis coloradoensis*), and milkweeds (*Asclepias* spp.). Many of these species were documented through the WHAP assessment, while these and many others have been documented through citizen science observations (iNaturalist 2024).

Two of the most populous metropolitan areas of Texas are located in part of the Cross Timbers Ecoregions. The close proximity to urban and suburban landscapes has led to many plants escaping into wild plant communities, some of which have dramatically altered the ecosystems where they have spread. Common landscape plants which are aggressive colonizers and commonly escape cultivation include privet (*Ligustrum spp*.), Chinaberry (*Melia azedarach*), Heavenly bamboo (*Nandina domestica*), Pincushions (*Scabiosa atropurpurea*), Chinese Tallow (*Triadica sebifera*), and Tree of Heaven (*Ailanthus altissima*). Several grasses have also been identified as aggressive and/or invasive including Bermuda grass (*Cynodon dactylon*), Bahiagrass (*Paspalum notatum*), and Johnsongrass (*Sorghum halepense*). Giant Salvinia (*Salvinia molesta*) and water hyacinth (*Eichhornia crassipes*) are invasive aquatic plants and have been spreading aggressively in many USACE reservoirs. Several native plants have also become problematic due to human activities including mesquite (*Prosopis glandulosa*), whitebrush (*Aloysia grati*), yaupon (*Ilex vomitoria*), and several species of juniper (*Juniperus spp*.) (TPWD 2012).

Fisheries and Wildlife Resources

Proctor Lake provides habitat for an abundance of fish and wildlife species. Predominant game fish species in the lake include white crappie (*Pomoxis annularis*), black crappie (*Pomoxis nigromaculatus*), largemouth bass (*Micropterus salmoides*), channel catfish (*Ictalurus punctatus*), blue catfish (*Ictalurus furcatus*), yellow (flathead) catfish (*Pylodictis olivaris*), white bass (*Morone chrysops*), and hybrid bass (*Morone chrysops x Morone saxatilis*). Nongame fish species include longnose gar (*Lepisosteus osseus*), spotted gar (*Lepisosteus oculatus*), smallmouth buffalo (*Ictiobus bubalus*), freshwater drum (*Aplodinotus grunniens*), gizzard shad (*Dorosoma cepedianum*), and

various sunfishes (*Centrarchidae spp.*). Nonnative fish species include common carp (*Cyprinus carpio*) and grass carp (*Ctenopharyngodon Idella*).

Many of the undeveloped areas provide habitat for mammals including white-tailed deer (*Odocoileus virginianus*), coyotes (*Canis latrans*), gray foxes (*Urocyon cinereoargenteus*), bobcats (*Lynx rufus*), eastern cottontail rabbit (*Sylvilagus floridanus*), fox squirrel (*Sciurus niger*), nine-banded armadillo (*Dasypus novemcinctus*), striped skunks (*Mephitis mephitis*), hog-nosed skunks (*Conepatus leuconotus*), raccoons (*Procyon lotor*), and American beaver (*Castor canadensis*). Feral hog (*Sus scrofa*) are incredibly common on federal property as well.

The area also provides habitat for a diverse range of birds and acts as a stopover for migratory birds, including bald eagles (*Haliaeetus leucocephalus*) and a wide array of waterfowl. Rio Grande wild turkey (*Meleagris gallopavo intermedia*) and bobwhite quail (*Colinus virginianus*) utilize federal land as well. Over 215 species of birds have been identified at Proctor Lake.

Common reptiles include red-eared sliders (*Trachemys scripta elegans*), common snapping turtles (*Chelydra serpentina*), spiny softshell turtles (*Apalone spinifera*), Texas spiny lizards (*Sceloporus olivaceu*s), eastern copperheads (*Agkistrodon contortrix*), western diamondback rattlesnakes (*Crotalus atrox*), diamondback water snakes (*Nerodia rhombifer*), plain-bellied water snakes (*Nerodia erythrogaster*), western ratsnakes (*Pantherophis obsoletus*), and coachwhips (*Masticophis flagellum*). Proctor Lake also supports amphibians like Blanchard's cricket frogs (*Acris blanchardi*), gray treefrogs (*Hyla versicolor*), Rio Grande leopard frogs (*Lithobates berlandieri*), and Woodhouse's toad (*Anaxyrus woodhousii*).

3.6.1 Alternative 1: No Action

The No Action Alternative does not involve any activities that would contribute to changes in existing conditions. Therefore, no impacts on natural resources would be anticipated as a result of implementing the No Action Alternative.

3.6.2 Alternative 2: Proposed Action

The 2024 SMP will provide moderate, long-term, beneficial effects to natural resources due to better management of environmentally sensitive areas and vegetation management. The keeping of PLA miles to a similar management style of PSA will help to protect habitat in those areas as well as reduce disturbance to surrounding wildlife. The retainment of PSAs and PRAs, as well as the restrictions placed on vegetation management and the new changes in lighting, PFF, flotation, stairways, and walkways, will result in less short and long-term adverse impacts over time.

3.7 THREATENED AND ENDANGERED SPECIES

The Endangered Species Act was enacted to provide a program for the preservation of endangered and threatened species and to provide protection for the ecosystems upon which these species depend for their survival. USFWS is the primary agency responsible for implementing the Endangered Species Act and is responsible for birds

and other terrestrial and freshwater species. USFWS responsibilities under the Endangered Species Act include (1) the identification of threatened and endangered species; (2) the identification of critical habitats for listed species; (3) implementation of research and recovery efforts for these species; and (4) consultation with other Federal agencies concerning measures to avoid harm to listed species.

An endangered species is officially recognized by USFWS as being in danger of extinction throughout all or a significant portion of its range. A threatened species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range. Proposed species are any species of fish, wildlife, or plant that is proposed in the Federal Register to be listed under Section 4 of the Endangered Species Act. Species may be considered eligible for listing as endangered or threatened when any of the five following criteria occur: (1) current/imminent destruction, modification, or curtailment of their habitat or range; (2) overuse of the species for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) inadequacy of existing regulatory mechanisms; and (5) other natural or human-induced factors affecting their continued existence.

In addition, USFWS has identified species that are candidates for listing as a result of identified threats to their continued existence. The candidate designation includes those species for which USFWS has sufficient information to support proposals to list as endangered or threatened under the Endangered Species Act; however, proposed rules have not yet been issued because such actions are precluded at present by other listing activity. Although not afforded protection by the Endangered Species Act, candidate species may be protected under other federal or state laws.

By protecting a specific species, the USFWS and National Marine Fisheries Service (NMFS) may list them as endangered, threatened, listed, migratory, and or protected. A species can have more than one protection measure with the exclusion of endangered, threatened, and listed. A species cannot be both endangered and threatened; however, a species can be endangered, migratory and protected. A candidate species is any species whose status is currently under review to determine whether it warrants listing under the Endangered Species Act.

- Endangered is officially recognized by USFWS as being in danger of extinction throughout all or a significant portion of its range. Under this protection measure, a species cannot be taken, essential habitat altered and destroyed, nor transported without a permit. Take means “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct” (USFWS, 2020B).
- The USFWS defines a species as threatened if it is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. Under this protection measure, a species cannot be taken, essential habitat altered and destroyed, nor transported without a permit.

- Candidate is a species in which the USFWS has on file sufficient information on biological vulnerability and threat(s) to support issuance of a proposal to list, but issuance of a proposed rule is currently precluded by higher priority listing actions.
- Protected means that there are other Federal laws and regulations protecting the species than the Endangered Species Act. Examples include Bald and Golden Eagle Protection Act, Lacey Act, and Migratory Bird Treaty Act. Just because a species is listed as migratory doesn't automatically qualify it as protected, it must be protected by more than one law.
- Migratory means it applies specifically to migratory birds. The law that governs these species is the Migratory Bird Treaty Act. Under this law "it is illegal to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid Federal permit" (16 U.S.C. 703-712; USFWS, 2020A).

The USFWS may list a species under "Similarity of Appearance (Threatened)" because of the species similarity of appearance to another species that is currently listed as threatened. Under this classification these species will not have to go through Section 7 Consultation of the Endangered Species Act because they are not biologically endangered. However, under this listing category, the species may be protected by Section 9 of the Endangered Species Action, which primarily prohibits the "taking" of endangered species of fish and wildlife. To "Take" means to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct" (USFWS, 2020B).

The USFWS's Information for Planning and Consultation (IPaC) database (USFWS, 2024C) lists the threatened and endangered species, and trust resources that may occur within the Proctor Lake Federal Fee Boundary (see USFWS Species List and the IPAC Report in Appendix C). Based on the IPaC report, there are 4 federally listed, proposed, or candidate species that could be found within Proctor Lake (USFWS, 2024C). A list of these species is presented in Table 3-3. There is no Critical Habitat designated within Proctor Lake fee boundary. The species identified as Threatened, Endangered or Candidate Species by TPWD that are not federally listed are included in Appendix C of the Master Plan as well as a list of Species of Greatest Conservation Need (SGCN). Appendix C also has the list of rare plant communities for the Cross Timbers Ecoregion.

Table 3-3. Federally Listed Threatened & Endangered Species with Potential to Occur at Proctor Lake

Common Name	Scientific Name	Federal Status	State Status
Monarch Butterfly	*Danaus plexippus*	Candidate	Not Listed
Piping Plover	*Charadrius Melodus*	Threatened	Threatened
Rufa Red Knot	*Calidris canutus rufa*	Threatened	Threatened
Whooping Crane	*Grus Americana*	Endangered	Endangered

The 2024 SMP revision does not entail wind energy aspects, therefore the red knot (*Calidris canutus rufa*) and piping plover (*Charadrius melodus*) are intentionally not discussed below with the other listed species in Table 3-3.

The USFWS lists the monarch butterfly (Danaus plexippus) as a candidate species wherever it is found (USFWS, 2021). The monarch butterfly is orange with black stripes and white dots on its wings that span up to 10 cm across, while the caterpillars are around 5 cm long (NatureServe, 2021). Its breeding habitat consists primarily of milkweed species (*Asclepias spp*.) and closely related species, which its larvae feed exclusively on. During North American migration, the monarch butterfly can be found anywhere flowers are blooming. The Proctor Lake fee boundary contains an abundance of blooming flowers, including milkweed, which is critical to egg laying. The combination of habitat and numerous recent sittings confirms that this species is common to the area while it is migrating.

The whooping crane (*Grus americana*) is listed as Endangered wherever it is found (USFWS, 2023C). Habitat for the species consists of marshes, shallow lakes, lagoons, salt flats, grain and stubble fields, and barrier islands (AOU 1983, Matthews and Moseley 1990 and NatureServe 2016). Pockets of habitat for this species are present on Proctor Lake project land but these areas are used as a stopover during their annual migrations. When the species is migrating, sighting for the species is rare at the lake and therefore they are considered a rare occurrence at Proctor Lake.

Texas Natural Diversity Database

The Texas Natural Diversity Database (TXNDD) (2023), administered by TPWD, manages and disseminates information on occurrence of rare species, unique native plant communities, and animal aggregations in Texas to help guide project planning efforts. TXNDD provided information for the following U.S. Geological Survey (USGS) quadrangle that encompass Proctor Lake lands, Brownwood, Eastland, Hamilton, and Stephenville. Upon request from the USACE, TPWD provided this information for Proctor Lake, which there is none found within the fee boundary.

Unique Species to Proctor

The Guadalupe penstemon (*Penstemon guadalupensis*) also known as Guadalupe beardtongue, white penstemon, and white beardtongue is a flowering perennial plant within the figwort family that can only be found in Texas and northern Mexico. TPWD

lists it as a Species of Greatest Conservation Need (SGCN) but it is not listed on either Texas or U.S. list of Threatened and Endangered Species List. Nor is the species mentioned in the TXNDD Report provided from TPWD to the USACE. NatureServe 2024 lists the species under the conservation status as G3 (vulnerable) which is between the statuses of G2 (imperiled) and G4 (apparently secure). The species is rare to the U.S but uncommon to Texas. Furthermore, the species tends to be found only on unique geological formations within its range and whose habitat is often degraded due to agricultural practices. The few documented observations within the Proctor Lake fee boundary makes the species worth including in this report. The species is characterized by its flowers that can grow over 1 inch in length and whose primary color is white but can often have streaks of purple and pink. The plant can grow up to 20 inches in height and prefers prairies that are underlie with sandy to clayey soils that can be mixed with loam and gravel (Lady Bird Johnson Wildflower Center, 2024).

3.7.1 Alternative 1: No Action

The No Action Alternative does not involve any activities that would contribute to changes in existing conditions, which have had no effect on federally listed species. USACE has determined that under the context of Section 7 of the ESA, implementation of the No Action Alternative would have No Effect on any federally threatened or endangered species that may occur within the study area. The No Action Alternative would have no impacts on any listed species.

3.7.2 Alternative 2: Proposed Action

The Proposed Action Alternative will cause the keeping of PLA miles to a similar management style of PSA, which will in turn, decrease the likelihood of impact to any threatened and endangered species that utilize the shoreline. Threatened and Endangered birds that utilize the shoreline, such as the Piping Plover, Rufa Red Knot, and Whooping Crane, will have similar amount of protected shoreline to utilize as with the 1976 LMP as the areas that will allow the most disturbances will for the not change in how they are managed.

Migratory birds listed in the USFWS Species List in Appendix C will not experience new adverse impacts, as any vegetation modification, vegetation management, or other ground disturbing activities will still have to be permitted by the Lake Manager. Any activities that may disturb migratory birds during the time period will be evaluated by the Lake Manager and the USFWS. These species may also experience minor, long-term, beneficial impacts as a result of an increase in PSA that may protect or enhance any habitat used by listed species.

Any future activities that could potentially result in impacts to Federally listed species will be coordinated with USFWS through Section 7 of the ESA. The USACE has determined that under the context of Section 7 of the ESA, the implementation of the Proposed Action Alternative will have No Effect on any federally listed or proposed threatened, endangered, or candidate species that may occur within the Proctor Lake federal fee boundary.

3.8 INVASIVE SPECIES

An invasive species is defined as a plant or animal that is not native to an ecosystem and whose introduction causes, or is likely to cause, economic and/or environmental harm, or harm to human health. Invasive species can thrive in areas beyond their normal range of dispersal. Sometimes native noxious species are included with invasive species when human-caused actions or practices cause similar negative impacts as invasive species. Invasive and noxious native species are characteristically adaptable, aggressive, and have high reproductive capacity. Their vigor, along with a lack of natural enemies or controls, often leads to outbreak populations with some level of negative effects on native plants, animals, and ecosystem functions and are often associated with disturbed ecosystems and human activities. One example of native noxious species is Common Cattail (*Typha latifolia*) taking over a cleared marsh and inhibiting other native marsh species from taking root. Another example would be Pine Trees (*Pinus* spp.) or Cedars (*Juniperus* spp.) becoming so dense in an area that their dead needles will change the acidity of the soil or cover the soil to such an extent that only other trees can germinate.

Table 3-4 lists many of the invasive and exotic species found at Proctor Lake. Other species are currently being researched for their invasive characteristics. Most of the problematic native species are disruptive to human developments, habitations, or projects or are problematic in response to human behavior and require active management to prevent damage or encroachment.

Table 3-4. Problematic Noxious Native and Invasive Non-Native Species Found at Proctor Lake

Common Name	Scientific Name	Native/ Non-Native
BIRDS		
Black Vulture	*Coragyps atratus*	Native
Cliff Swallow	*Petrochelidon pyrrhonota*	Native
FISH		
European Carp	*Cyprinus carpio*	Non-native
Grass Carp	*Ctenopharyngodon idella*	Non-native
MAMMALS		
Feral Cat	*Felis catus*	Non-native
Feral Swine/Wild Boar	*Sus scrofa*	Non-native
INVERTEBRATES		
Asian Clam	*Corbicula fluminea*	Non-native
Desert Termite	*Gnathamitermes tubiformans*	Native
Red Imported Ant (Fire Ant)	*Solenopsis invicta*	Non-native
Yellow-legged Mud-dauber Wasp	*Sceliphton caementarium*	Native
Zimmerman's Mud-dauber Wasp	*Chalybion zimmermanni*	Native

Common Name	Scientific Name	Native/ Non-Native
Southern Black Widow Spider	*Latrodectus mactans*	Native
PLANTS		
Bastard Cabbage	*Rapistrum rugosum*	Non-native
Bermuda Grasses	*Cynodon* spp.	Non-native
Bigpod Sesbania	*Sesbania herbacea*	Native
Black Willow	*Salix nigra*	Native
Bull Thistle	*Cirsium vulgare*	Non-native
Callery Pear	*Pyrus calleryana*	Non-native
Cheatgrass	*Bromus tectorum*	Non-native
Chinaberry	*Melia azedarach*	Non-native
Coastal Sandbur	*Cenchrus spinifex*	Native
Docks	*Rumex* spp.	Non-native
Field Bindweed	*Convolvulus arvensis*	Non-native
Giant Ragweed	*Ambrosia trifida*	Native
Honey Mesquite	*Neltuma glandulosa*	Native
Japanese Brome	*Bromus japonicus*	Non-native
Johnson Grass	*Sorghum halepense*	Non-native
King Ranch Bluestem	*Bothriochloa ischaemum* var. *songarica*	Non-native
Kleingrass	*Panicum coloratum*	Non-native
Lesser Balloon Vine	*Cardiospermum halicacabum*	Native
Poison Ivy	*Toxicodendron radicans*	Native
Poverty Weed	*Baccharis neglecta*	Native
Prickly Lettuce	*Lactuca serriola*	Non-native
Prickly Sowthistle	*Sonchus asper*	Non-native
Rough Cocklebur	*Xanthium stumarium*	Native
Saltcedar	*Tamarix ramosissima*	Non-native
Saw Greenbriar	*Smilax bona-nox*	Native
Willow baccharis	*Baccharis salicina*	Native

While currently not present at the Proctor Lake, invasive mollusks including zebra mussels (*Dreissena polymorpha*) are an ongoing threat to native aquatic species and communities due to their ability to infest and expand rapidly. Approximately 13 other USACE lakes in SWF have extant populations of zebra mussels. Funding and efforts are currently underway to manage for this species in the region. The USACE continues to monitor for zebra mussels and has a campaign to educate the public on methods to prevent the spread of zebra mussels.

Emerald ash borer (*Agrilus planipennis*) infestations have killed millions of acres of ash trees (*Fraxinus* spp.) across North America, but they have not been reported at Proctor Lake or Comanche County. Texas observations were initially isolated to Harrison County; but have been spreading rapidly to other eastern, northern, and central Texas counties. As of 2023, emerald ash borers have been detected and confirmed across the state, and Texas has issued quarantines in the following Texas counties in Texas: Bowie, Camp, Cass, Cooke, Dallas, Denton, Harrison, Hopkins, Marion, Morris, Parker, Rusk, Tarrant, Titus and Wise. Emerald ash borers are expected to move into more counties in coming years, especially those with large stands of ash trees. Project and District staff are continuing to monitor for nearby infestations and follow guidance of the U.S. Department of Agriculture and the Texas Department of Agriculture.

Because of the lake's relative isolation from metropolitan areas, it does not have as many invasive landscape plant species compared to those within or directly adjacent to major metropolitan areas. This remoteness further protects the lake from the inadvertent release and spread of common landscape plants that could become aggressive colonizers from nearby residential developments.

3.8.1 Alternative 1: No Action

The No Action Alternative does not involve any activities that would contribute to changes in existing conditions, so Proctor Lake would continue to be managed according to the existing invasive species management practices. There would be no impacts to invasive species management as a result of implementing the No Action Alternative.

3.8.2 Alternative 2: Proposed Action

The shoreline reallocations, resource objectives, and resource plan required to revise the 2024 SMP are compatible with the lake's invasive species management practices. The keeping of PLA miles to a similar management style of PSA in the 2024 SMP will further add to these protections already provided by the 2024 MP. Any land management activities such as vegetation management will be evaluated and approved by the Lake Manager, with best management practices applied.

The new shoreline allocation changes and associated policy changes in the 2024 SMP will result in minor, long-term, beneficial impacts in reducing and preventing the spread of invasive species. In summary, these objectives are addressing unauthorized uses of public lands which may spread invasive species; and evaluating erosion control as eroding lands provide colonization opportunities for invasive plant species. All of these will include a public outreach and education emphasis.

3.9 CULTURAL, HISTORICAL, AND ARCHAEOLOGICAL RESOURCES

Brief History of the Area

In the area around Proctor Lake, the earliest known evidence for human settlement dates to at least 13,000 before present (B.P.). Broadly speaking, Comanche County lies

within what is considered the Central Texas archeological area. Prehistory, considered the time before European contact with the indigenous population, is divided into three periods, the Paleoindian, Archaic, and Late Prehistoric.

Archeologists term the earliest of these periods as the Paleoindian Period. Defined by comparatively small and mobile populations that subsisted primarily by hunting and gathering over large geographic areas, evidence for Paleoindian populations is relatively rare at Proctor Lake and elsewhere. These populations are generally known for distinctive projectile points and little else. Recent excavations in Central Texas have contributed vastly to our knowledge of this time period in North America and in some instances, overturned long-held beliefs. The Gault site, in nearby Williamson County, dates to at least 13,500 B.P. This site, located on Buttermilk Creek, was one of the first to provide firm data to suggest an occupation of North America predating even the ancient Clovis Culture. Intact sites from this period would likely be buried under many feet of alluvial deposits.

The Archaic Period spans the largest temporal period of Central Texas prehistory, given this fact, it is divided into the Early (8,500-6,000 B.P.), Middle (6,000-3,500 B.P.), and Late (3,500-1,200 B.P.) sub periods. Like the Paleoindian, archeological sites dating to the Archaic are differentiated by their projectile point types. Over this large timespan, populations increased in general. Climatic fluctuations influenced settlement and subsistence of these populations. The warmest parts of the Archaic saw vegetation changes and migrations of some animals away from the area. Though, like the Paleoindian, many Archaic Period archeological site can be sparse, archeologists have dated many campsites replete with burned rock middens to this time period.

The Late Prehistoric Period (1,250-300 years B.P.) can be divided into two sub periods, the Austin (1,250-800 B.P.) and the Toyah (800-300 B.P.), with some variation. This Late Prehistoric Period is demarcated by two technological innovations, the bow and arrow and pottery. Evidence exists for a decline in populations at the beginning of this period, recovering later. Archeological sites from the period show an increased reliance on the American bison for subsistence.

Archeologists term the period of and just after initial European contact and exploration the Protohistoric Period. Overlapping with the Toyah phase in some instances, this period began with the arrival of Cabez de Vaca in 1528. It can be noted by the presence of European-sourced artifacts in the archeological record. In Comanche County, evidence exists of the presence the Kiowa, Apache, and notably the Comanche.

The Historic Period is considered to have begun during the period of sustained European (namely Spanish Colonial) presence in Texas roughly 300 years ago, on through the present day. In Comanche County, as in much of the surrounding area, the presence of the Comanche prevented large-scale European settlement. The first well-documented settlement of the area dates to 1854, when the Jesse Mercer Colony was founded in what would become Comanche county two years later. The American Civil War disrupted settlement. With the withdrawal of the U.S. Army from the area, the

Mercer Colony fell victim to Comanche raids. After the war ended, settlement recommenced as the Comanche were gradually pushed out of the area.

The late 19th century was a time of growth in Comanche County, and a diverse farming and ranching economy developed, with cotton becoming a predominant cash crop. The coming of the railroad only accelerated this trend. During this time, the Leon River Valley became an important locale for the development of pecan orchards. Early in the 20th century, boll weevil-induced crop losses saw the county adopt peanut farming, an activity that continues to the present day. As with elsewhere in Texas, the 20th century also saw the development of the petroleum industry in the county. Like many rural counties, the recent past has evinced a migration from the rural to urban areas. The post-World War II period saw population decline through the 1960s, and then gradually, if only partially, recover through the end of the century. Tourism and recreation, enhanced by the creation of Proctor Lake, have added to the diversity of the economy into the present day.

Previous Investigations

Archeologists first investigated the area around Proctor Lake in advance of the Lake's construction in the 1950s. Since the initial investigations by Curtis Tunnell and Edward Jelks in 1959, only one archeological investigation of any size has been conducted at the lake, a phase I cultural resource inventory of Copperas Creek Park performed by Ecological Communications Corporation in 2009. These efforts have resulted in the recording of forty archeological sites around Proctor Lake.

Long-term Cultural Resources Objectives

A Historic Properties Management Plan (HPMP) will be developed for Proctor Lake in the near future, as funding allows. Such plans establish standard operating procedures pertaining to both USACE and external activities that might impact cultural resources. Completion of a full inventory and National Register of Historic Places (NRHP) eligibility evaluation of cultural resources at White Oak Creek Mitigation Area is a long-term objective that is needed for compliance with Section 110 of the National Historic Preservation Act (NHPA). Ultimately, all currently known sites, as well as those found in future inventories should be evaluated to determine their eligibility for the NRHP. Sites of currently unknown NRHP eligibility and those found in the future to be eligible for the NRHP must be protected from impacts caused by USACE or those having easements on fee lands. All future cultural resource activities will be coordinated with the State Historic Preservation Officer at the Texas Historical Commission and with the federally-recognized Native American governments who recognize the area as part of their historic homeland, in order to insure compliance with the NHPA, the Archaeological Resources Protection Act (ARPA), and the Native American Graves Protection and Repatriation Act (NAGPRA).

3.9.1 Alternative 1: No Action

There will be no potential to effect historic properties as a result of implementing the No Action Alternative. The No Action Alternative will not have an impact on other cultural, historical, or archaeological resources.

3.9.2 Alternative 2: Proposed Action

The 2024 SMP will not contradict or violate any of the protections for cultural resources set forth by the 2024 MP and will closely reflect changes made in the 2024 MP intended to protect known cultural resources. The Proposed Action Alternative serves to further protect cultural resources and their associated areas by keeping of PLA miles to a similar management style of PSA. This will keep disturbances to areas consistent with the existing condition under the 1976 LMP. The 2024 SMP will promote reduced land disturbance by changing requirements and limitations on walkways, stairways, vegetation management, and construction. The Proposed Action Alternative will have no potential to effect historic properties. All other cultural, historical, or archaeological resources will not be impacted by the Proposed Action.

3.10 PALEONTOLOGICAL RESOURCES

Introduction

Proctor Lake boasts interesting and unique paleontological resources that have contributed significantly to the scientific understanding of the area during the Early Cretaceous Period, about 115 million years ago. The paleontological research that Southern Methodist University (SMU), the Witte Museum, and others have conducted at Proctor Lake has resulted in hundreds of specimens, the naming of at least two new species, a greater understanding of dinosaur evolution and behavior, and more insight into the Twin Mountains Formation and the rise of the Western Interior Seaway. Paleontological resources provide an interesting management and protection challenge for the USACE staff at Proctor Lake. Paleontological materials do not receive the same protection and regulation under federal law and USACE policy as cultural and archaeological resources. Understanding the value and nature of the paleontological resources at Proctor Lake will better inform management decisions.

Site Description

Significant discoveries at Proctor Lake were found at a location Paleontologists have named “Proctor Lake Dinosaur Locality”, and research publications refer to the site as such. Paleontologists discovered specimens in two quarries, referred to in the literature as Camp Quarry and North Quarry. These sites occur on the shoreline above conservation pool and have experienced erosion from wind, rain, and floods. Floods continue to impact the topography of the sites. While the USACE has not technically closed this area to the public, human impacts remain low due to rugged terrain, difficult access, and being undesirable to anglers. Overall, the general public’s ignorance of the paleontological resources present stand as the sites’ greatest protection from intention or unintentional degradation.

The site occurs in the Twin Mountains Formation, a formation well-known to central Texas. Soil characteristics indicate this area was once an arid flood basin.

Paleontologists at the site discovered fossils in red mudstones soils between fifteen and twenty meters above the Pennsylvanian-Cretaceous Unconformity, a diagnostic soil boundary. Paleontologists mapped sixty concentrations of bone which contained either significant portions of a dinosaur or many dinosaurs. The SMU scientists initially excavated and removed eight of these sixty blocks, and including material removed by subsequent excavations, resulted in four hundred eighty-eight specimens from forty-eight localities in the two quarries. Many more unexcavated specimens remain in the area, but SMU and other researchers have elected not to remove these to preserve provenience and reduce the storage burden of additional specimens. The Proctor site is unique because it represents an abundance of individuals and specimens representing very few species. The overwhelming majority of specimens identified belonged to *Convolosaurus marri*, an ornithopod known only from the Proctor site. Paleontologists also found a single tooth from a dromaeosaur, the only representation of another dinosaur in the material. Scientists also discovered crocodilian remains identified as *Wannchampsus kirpachi*, a crocodilian-like neosuchian and a crocodilian belonging to a new species, *Tarsomordeo winkleri*.

History and Discovery of Resources

The initial discovery of the Proctor Lake Dinosaur Locality and its paleontological resources occurred in 1985. Tarleton State University (TSU) geology student Rusty Branch discovered the site while looking for fossils in the ancient flood plain. At the time, the USACE had not developed much of the local recreation area. Instead, the USACE allowed visitors to use offroad vehicles in this area. Following Mr. Branch's discovery, Dr. Phillip Murray of TSU and Dr. Louis Jacobs of SMU began a joint excavation of the North Quarry and Camp Quarry sites. They removed many specimens but left hundreds in the area. Since these remains occurred on USACE property, they remained property of the Department of the Army. The USACE allowed SMU to take the collected specimens to the university for curation and storage. The 1985 excavations received local, regional, and national attention. Newspapers in Comanche, Dublin, and Clifton reported on the discovery and its progress. The New York Times also reported on the discovery and excavation. Thankfully, this interest did not cause looting or damage to the sites.

Two other smaller excavations followed the 1985 project. In 2009, Dr. Jacobs requested and received permission from the USACE to excavate newly discovered fossils in the area. The number of specimens SMU excavated is unknown. In 2016, Dr. Kate Andrzejewski of SMU conducted an excavation of recently revealed remains at Proctor Lake as well. This excavation resulted in the collection of at least one specimen. Recently, erosion has revealed more dinosaur bones. Dr. Thomas Adams from the Witte Museum in San Antonio have begun excavating at least one specimen. Given what previous excavations have reported regarding the Proctor Lake Dinosaur Locality, numerous specimens remain in the area that will likely continue to emerge from the soil as it erodes.

Dr. Dale Winkler of SMU studied the Proctor specimens extensively and published most scientific articles regarding them. Dr. Winkler greatly advanced the scientific

understanding of the Proctor Lake Dinosaur Locality and its faunal remains, describing the areas geological context, prehistoric habitat and climate, the specimens collected from the site, and the behavior of the dinosaurs that once lived there. Dr. Winkler used the specimens Drs. Murray and Jacobs collected and SMU curated for his research on the Proctor Lake Dinosaur Locality. He also assisted Dr. Andrzejewski's work naming the dinosaur and prepared specimens that Dr. Thomas Adams used to identify the crocodilian he named in Dr. Winkler's honor. Dr. Winkler's work provided much of the information for this summary. His contributions, along with those of his colleagues, provided essential information regarding the paleontological resources at Proctor Lake.

Proctor Lake staff have incorporated the lake's unique paleontological heritage in interpretive presentations and programming. These presentations focused what scientists knew about the Proctor Lake dinosaurs at the time and other dinosaurs found in Texas. The Proctor Lake dinosaurs have also been featured in books like Lone Star Dinosaurs and coloring books. Three *C. marri* specimens are currently on public display. One is the Perot Museum in Dallas, another at the Museum of Science and History in Fort Worth. The Proctor Lake project office displays the third and final specimen in its lobby, free to see with some interpretive information explaining Proctor Lake's unique paleontological resources. In the future, Proctor staff should continue to place emphasis on this history through interpretive programs, signage, and materials.

Significant Discoveries

Proctor Lake Dinosaur Locality produced numerous ornithopod specimens. Dr. Winkler initially described the species represented by these remains at the "Proctor Lake hypsilophodont" pending identification. Hypsilophodonts were herbivorous dinosaurs that ranged in size from the small Proctor Lake specimens to larger species later in the Cretaceous. Hypsilophodont fossils are rare in Early Cretaceous sites, except at sites on the Isle of Wight in Great Britain. The "Proctor Lake hypsilophodont" initially appeared most similar to the species found on the Isle of Wight, *Hypsilophodon foxii*. Using specimens obtained from Proctor Lake and curated by SMU, Dr. Andrzejewski determined the species formed sister clades with *Hypsilophodon foxii* and the iguanodontids but was not a direct descendant or predecessor for either group. Dr. Andrzejewski named the species *Convolosaurus marri*, meaning "Marr's flocking lizard". Ray H. Marr was a SMU alumnus, trustee and donor for SMU's Institute for the Study of Earth and Man, and president of Marr Oil & Gas LTD. Dr. Andrzejewski used the wide array of specimens recovered from Proctor Lake and identified the largest individual as the optimum holotype for this species. However, this is still a subadult skeleton, meaning the true adult size of this new species is still unknown.

The abundance of *C. marri* fossils of various subadult sizes suggests the animals either used the area as a nesting ground or nursery for young individuals. Paleontologists have discovered sites similar to other ornithopod nests but have not found any eggs or eggshells at the site. None of the *C. marri* bones show evidence of predation and predators are only represented in the site by the single dromaeosaur tooth and the crocodilian remains. This supports the theory that *C. marri* subadults used the area as a refuge from predation by large therapod dinosaurs and competition with

other herbivorous dinosaurs. According to Dr. Winkler, the range in subadult skeleton sizes indicates both rapid growth and parental care. Skeletal remains appear to represent repeated use of the area, as well as natural attrition and fossilization of individuals rather than catastrophic clutch losses or mass-burial events. The presence of small crocodilians suggests that these species may have also practiced age-class partitioning, with younger, smaller crocodilians using this same area as a refuge like the *C. marri* subadults that they likely preyed upon.

Paleontologists identified at least one specimen of these crocodilians as a new species. Dr. Adams of the Witte Museum in San Antonio, Texas, named this cat-sized crocodile *Tarsomordeo winkleri*, or “Dr. Winkler’s ankle-biter” based on skull, vertebrae, and leg bones recovered at Proctor Lake by SMU researchers in previous excavations. *T. winkleri* possessed long limbs and a stance similar to mammals and birds than the splayed stance of modern crocodilians. This suggests that *T. winkleri* was adapted to running or galloping and pursuing prey. According to Dr. Adams, this small species may have filled a niche actively predating *C. marri* eggs and hatchlings. This discovery better attests to the diversity of crocodilians in the Early Cretaceous and filling in the phylogenetic tree of related species.

Since the Proctor Lake Dinosaur Locality sites occur within and next to recreation facilities and areas, project staff must make certain management considerations to protect this resource. Paleontological resources do not enjoy the same strict protections under federal law and USACE policy as cultural resources. The best protection for this area rests in anonymity. The public largely does not know where these sites are located, protecting them from looting. Their location and the local terrain likely will protect the site from inadvertent human impacts. Designating this area as restricted or sensitive could generate curiosity that might lead to unwanted exploration or looting. Maintaining fencing and thick natural vegetation should further discourage or limit public access to the area. USACE park rangers should also monitor the area for any potential disturbances. The USACE also should pursue beneficial partnerships to survey, excavate, and curate these resources as needed to ensure these unique and important paleontological resources are available to the scientific community for generations to come.

3.10.1 Alternative 1: No Action

There would be no additional short- or long-term, minor, moderate, or major, beneficial, or adverse impacts on paleontological resources as a result of implementing the No Action Alternative, as there would be no changes to the 1976 LMP.

3.10.2 Alternative 2: Proposed Action

The implementation of the new resource management objectives, and the overall improvement of the 2024 SMP will allow paleontological resources within USACE Proctor federal project lands to be better managed and accounted for. Based on previous surveys at Proctor Lake, the required resource objectives, and resource plan will not alter areas where these resources exist. Therefore, no impacts on paleontological resources will occur as a result of implementing the 2024 SMP.

3.11 SOCIOECONOMICS AND ENVIRONMENTAL JUSTICE

Overview

The following information covers the current demographic and economic data or the communities surrounding Proctor Lake (Zone of Interest). This basic information gives a snapshot of the current population and looks at growth trends for the area.

Zone of Interest (Region Served)

Proctor Lake lies completely within Comanche County in Central Texas. The Zone of Interest for the socio-economic analysis of Proctor Lake is defined as the county which the lake lies, Comanche County, as well as the five surrounding counties, which are Brown, Erath, Eastland, Hamilton, and Mills counties as illustrated in Figure 3-9.

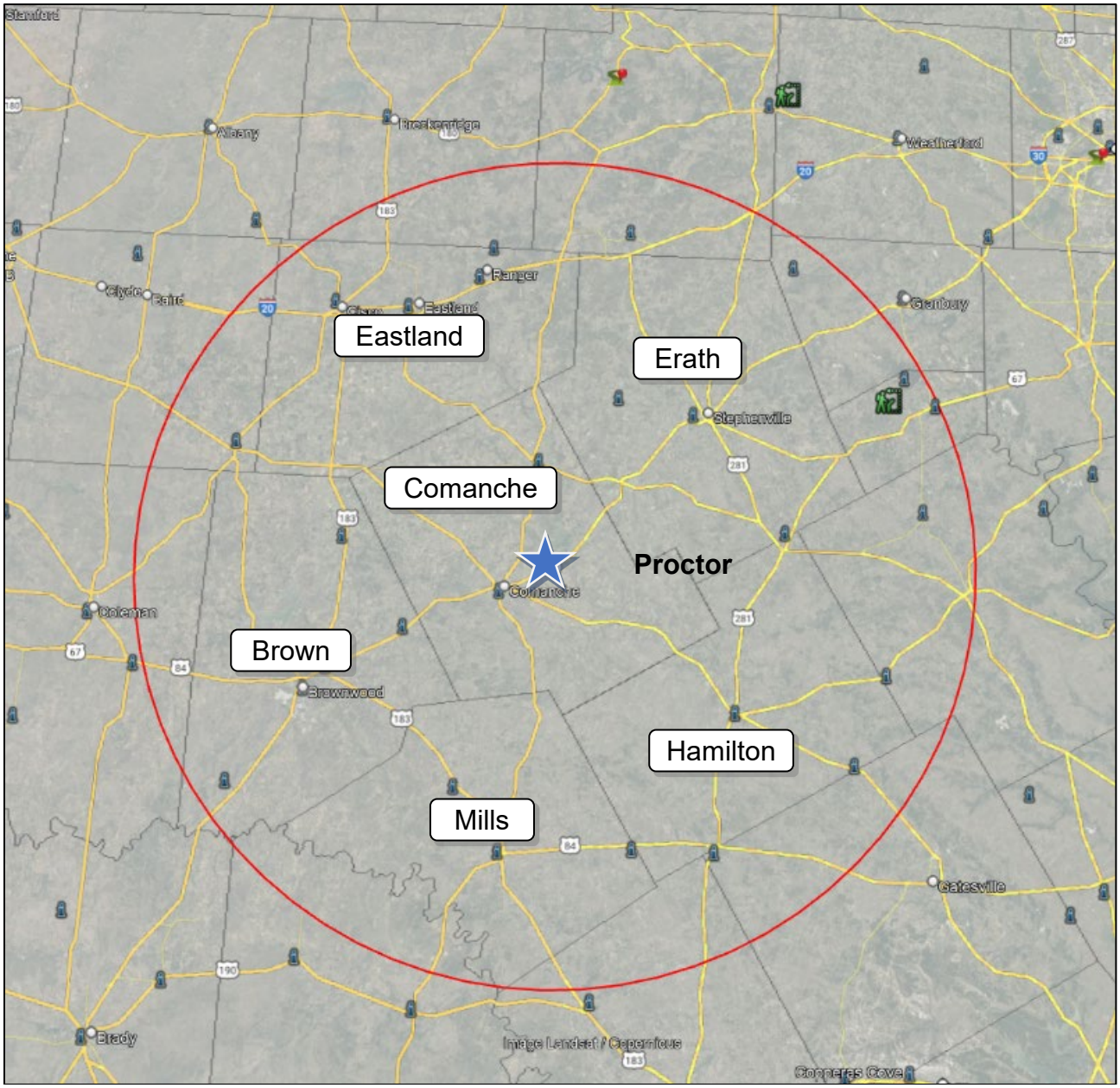

Figure 3-9. Counties within the Zone of Interest for Proctor Lake

Population

The total 2020 population of the Zone of Interest was 124,637 as shown on Table 3-5. Most of the Zone of Interest's population resides in Erath (34%) and Brown (31%) counties. The remaining population lives in Eastland (14%),Comanche (11 %), Hamilton (7%) and Mills (4%) Counties.

The Zone of Interest's population makes up approximately .42% of total population the State of Texas. From 2010 to 2020, the Zone of Interest experienced an average decline in population of 1.37% despite Erath County's 12.3% growth. Mills County had the worst decline with -9.7% growth. From 2020 to 2050, the population of the Zone of

Interest is expected to increase by 23,484 with an annual rate of growth of 1.6% with Erath and Brown Counties growing the most at 3.2 percent and 2.1 percent, respectively. By comparison, the population of Texas is projected to increase at a rate of 3.0% per year.

Table 3-5. 2020 Population, 2021 Population Estimate and 2050 Projections

Geographical Area	2010 Population	2020 Population	July 1, 2022, Estimates	2050 Projection
Comanche County	13,974	13,594	13,878	15,078
Erath County	37,890	42,545	43895	58,474
Brown County	38,106	38,095	38,373	40,717
Eastland County	18,583	17,725	17,944	19,732
Mills County	4,936	4,456	4,500	5,417
Hamilton County	8,517	8,222	8,298	8,703
Zone of Influence Total	**122,006**	**124,637**	**126,888**	**148,121**

Sources: U.S. Census Bureau -2020 Decennial Census. United States Census Bureau. 2021 American Community Survey 5-Year Estimates. U.S. Census Bureau, Annual Estimates of the Resident Population for Counties: April 1, 2020, to July 1, 2022. Texas Water Development Board - County Population Projections.

The distribution of the population among gender, as shown in Table 3-6, is approximately 50 percent male and 50 percent female in the Zone of Interest, very similar to the overall gender distribution in Texas.

Table 3-6. 2020 Population by Gender

Geographical Area	Male (2020)	Female (2020)
Comanche County	6,784 (50.07%)	6,765 (49.93%)
Erath County	20,707 (48.97%)	21,581 (51.03%)
Brown County	18,972 (49.81%)	19,113 (50.19%)
Eastland County	8,848 (49.75%)	8,937 (50.25%)
Mills County	2,254 (48.87%)	2,266 (50.13%)
Hamilton County	4,083 (49.73%)	4,128 (50.27%)
Zone of Influence Total	**61,648 (49.54%)**	**62,790 (50.46%)**

Source: U.S. Census Bureau- 2020 Decennial Census

Figure 3-10 displays the population by age group. The graph shows that Texas is much younger percentage wise than Comanche County and the Zone of Interest.

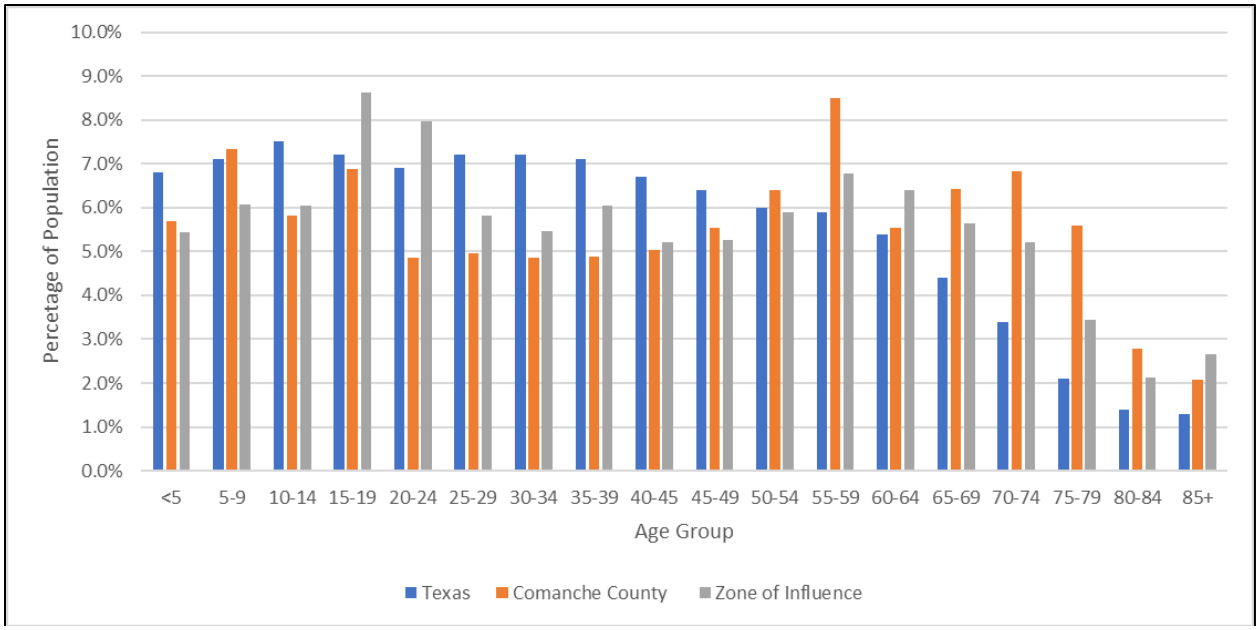

Figure 3-10. 2020 Population by Age Group

Source: U.S. Census Bureau- - 2021 American Community Survey 5-Year Estimates

Population by race and Hispanic origin is displayed in Table 3-7. The Zone of Interest is approximately 66% White, 17% is Hispanic, 8% is Biracial, 6% is Other, 2% is Black, and 1% each is Asian and American Indian. By comparison, the state's population is approximately 49% White, 39% Hispanic or Latino, and 12% Black. These percentages are estimates to change drastically by 2050. The majority of the population will be heavily Hispanic at 53% with White being 28%, Black 10% and Other 9%.

Table 3-7. Population Estimate by Race/Hispanic Origin

Geographical Area	White	Black	American Indian and Alaska Native alone	Asian alone	Native Hawaiian and Other Pacific Islander alone	Some other race alone	Two or more races	Hispanic or Latino
Texas	14,609,365	3,552,997	278,948	1,585,480	33,611	3,951,366	5,133,738	11,441,717
Comanche County	10,295	48	116	38	3	1,421	1,673	3,867
Erath County	32,674	1,247	416	353	14	3,652	4,189	9,254
Brown County	29,326	1,462	232	274	27	2,801	3,973	8,211
Eastland County	14,677	356	150	104	16	26	570	2,934
Mills County	3,654	30	15	5	0	287	465	728
Hamilton County	7,138	32	49	38	2	341	622	1,045
Zone of Interest	97,764	3,175	978	812	62	8,528	11,492	26,039

Source: U.S. Census Bureau- 2020 Decennial Census

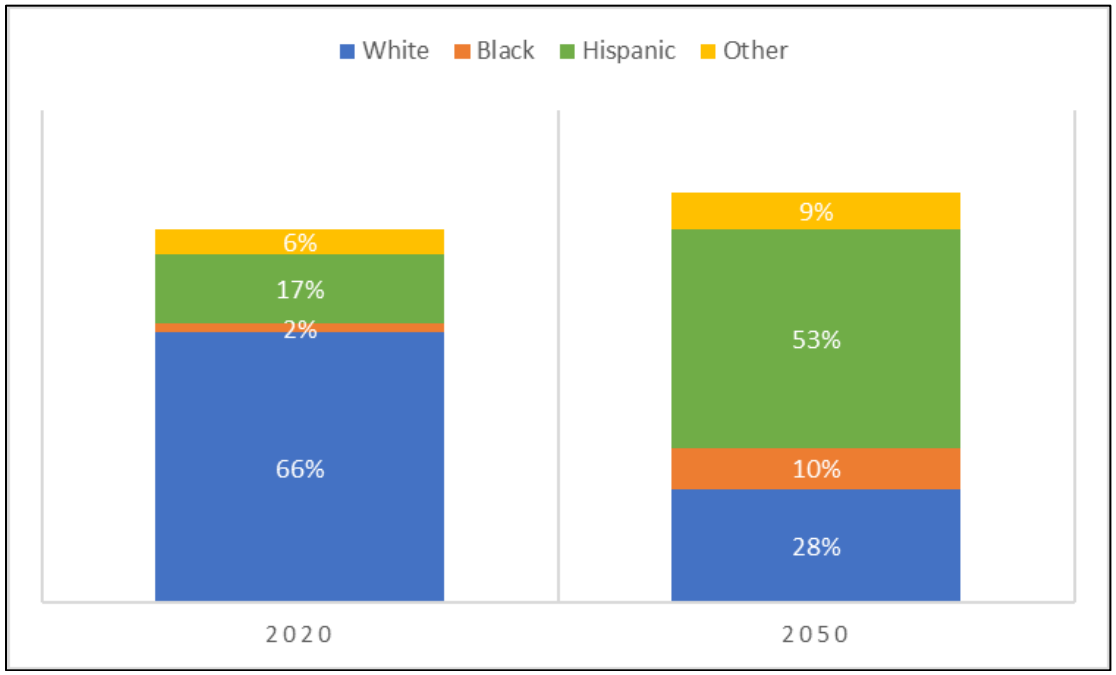

Figure 3-11. Zone of Interest Population Estimate and Projection by Race/Ethnicity

Source: U.S. Census Bureau- Texas State Data Center, The University of Texas at San Antonio (2050 Projections)

Education and Employment

Table 3-8 displays the highest level of education attained by the population ages 25 and over. In the Zone of Interest, 6.1% of the population has less than a 9th grade education, and another 7.8% has between a 9th and 12th grade education; 31.8% has a high school diploma or equivalent, and another 23.7% has some college and no degree; 7.8% has an associate degree; 15.8% has a bachelor's degree; and 7% has a graduate or professional degree. In Texas, 7.6% of the population has less than a 9th grade education; another 7% has between a 9th and 12th grade education; 25% has least a high school diploma or equivalent; 20% has some college; 7.5% has an associate degree; 21%has a bachelor's degree; and 12% has a graduate or professional degree. Thus, the education level in the Zone of Interest is slightly lower than that of the State of Texas.

Table 3-8. 2020 Population Estimate by Highest Level of Educational Attainment, Population 25 Years of Age or Older

Geographical Area	Population 25 years and older	Less than 9th Grade	9th to 12th Grade No Diploma	High School	Some College, No Degree	Associates	Bachelor	Graduate or Professional
Texas	19,224,688	7.60%	7.00%	24.60%	20.20%	7.50%	21.20%	11.90%
Comanche County	9,436	6.90%	7.50%	32.20%	25.20%	8.80%	13.30%	6.10%
Erath County	24,927	5.50%	6.90%	27.80%	22%	7.00%	20.80%	10%
Brown County	26,497	4.20%	8.90%	34.80%	25.20%	7.50%	14.30%	5.10%
Eastland County	12,119	6.60%	8.40%	29.10%	25.30%	9.20%	14%	7.40%
Mills County	3,386	7.30%	7.40%	30.90%	22.40%	7.30%	16.70%	8.10%
Hamilton County	5,679	4.30%	8.80%	35.70%	22.30%	7.30%	16.20%	5.50%
Zone of Interest	**82,044**	**6.10%**	**7.80%**	**31.75%**	**23.73%**	**7.85%**	**15.88%**	**7.03%**

Source: U.S. Census Bureau- 2021 American Community Survey 5-Year Estimates

Employment by sector is presented in Figure 3-11 and Table 3-11. Figure 3-12 shows that the largest percentage of the civilian employed population 16 years and older in the Zone of Interest is employed in the Education services, health care and social services(25%), Retail trade (12%),Construction(10%) and Agriculture, forestry, fishing and hunting, and mining (8%). These are higher than the State of Texas averages of Education services, health care and social services (22%), Retail trade (11%) , Construction (9%) and Agriculture, forestry, fishing and hunting, and mining (2%). The only sector that the Zone of Interest is significantly lower is in Professional, scientific, and management, and administrative and waste management services (Zone of Interest- 6%. State of Texas -13%).

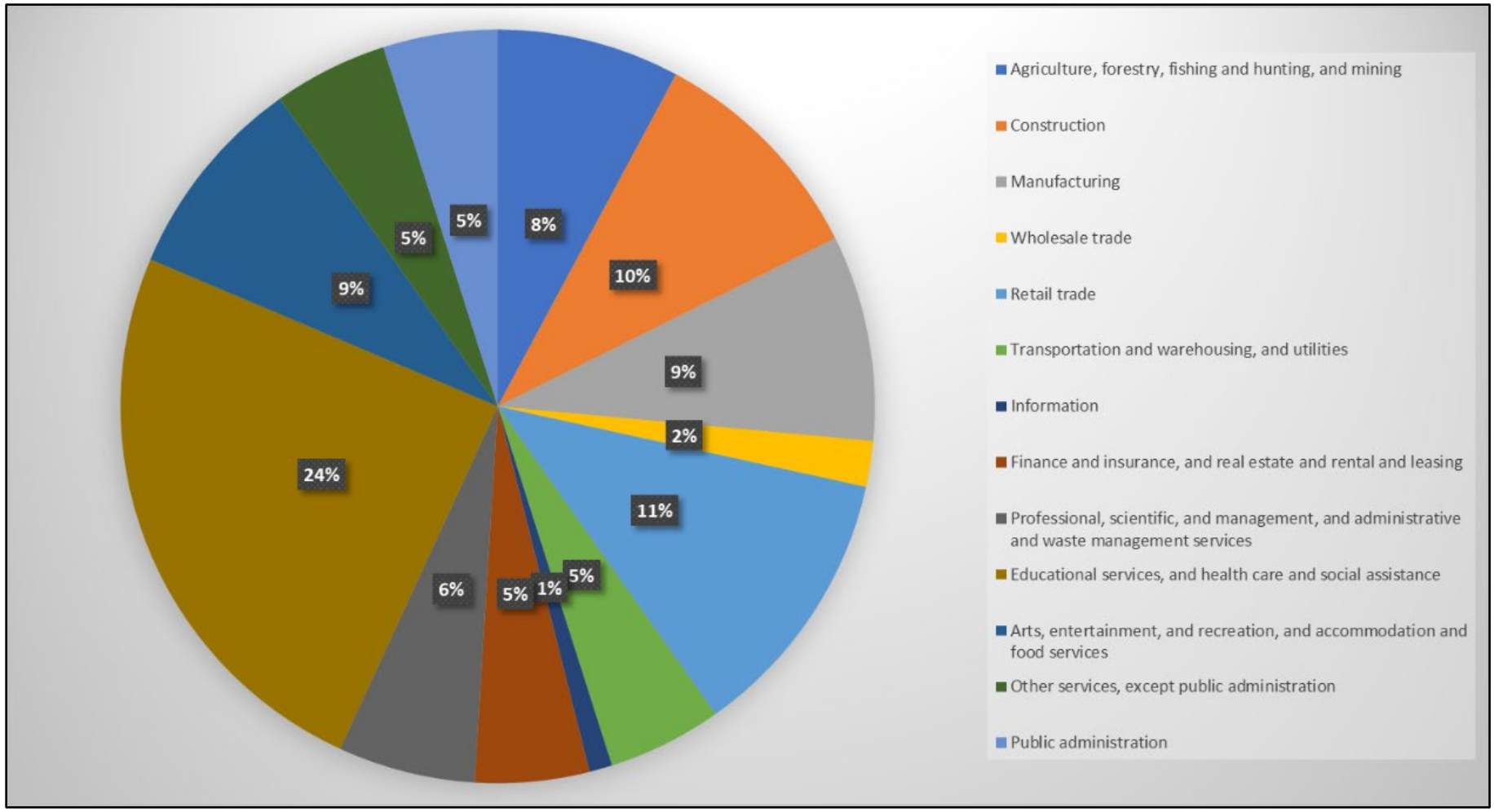

Figure 3-12. Zone of Interest Employment by Sector
Source: U.S. Census Bureau- 2021 American Community Survey 1-Year Estimates

Table 3-9. Occupation by Class of Worker by County

Employment Sector	Comanche County	Erath County	Brown County	Eastland County	Mills County	Hamilton County	Zone of Interest
Civilian employed population 16 years and over	5,999	19,837	16,799	7,101	1,969	3,194	54,899
Agriculture, forestry, fishing and hunting, and mining	669	2,149	697	594	117	248	4,474
Construction	540	1,453	1,345	871	285	317	4,811
Manufacturing	679	1,766	2,423	525	124	157	5,674
Wholesale trade	157	417	196	39	14	65	888
Retail trade	496	2,191	2,166	932	198	454	6,437
Transportation and warehousing, and utilities	389	1,098	676	364	69	200	2,796
Information	58	343	85	27	31	28	572
Finance and insurance, and real estate and rental and leasing	246	618	495	243	164	181	1,947
Professional, scientific, and management, and administrative and waste management services	311	1,546	1,211	496	93	88	3,745
Educational services, and health care and social assistance	1,699	4,684	3,817	1,714	533	745	13,192
Arts, entertainment, and recreation, and accommoda-tion and food services	343	1,771	1,606	659	144	373	4,896

Employment Sector	Comanche County	Erath County	Brown County	Eastland County	Mills County	Hamilton County	Zone of Interest
Other services, except public administration	123	926	1,046	318	74	179	2,666
Public administration	289	875	1,036	319	123	159	2,801

Source: U.S. Census Bureau- 2021 American Community Survey 1-Year Estimates

The civilian labor force in the Zone of Interest accounts for less than one half of 1% of the civilian labor force of the state of Texas. As shown in Table 3.10, the Zone of Interest had an unemployment rate of 2.8% in 2021, significantly lower than that of the state of Texas, which had an unemployment rate of 4.0% that same year. Within the Zone of Interest, only Comanche County had a higher unemployment rate (4.5%) than the state of Texas.

Table 3-10. Labor Force, Employment and Unemployment Rates, 2021 Annual Average

Geographical Area	Civilian Labor Force	Number Employed	Number Unemployed	Unemploy-ment Rate
Texas	14,707,042	13,796,229	910,813	4.00%
Comanche County	6,484	5,999	485	4.50%
Erath County	21,005	19,837	1,168	3.40%
Brown County	17,726	16,799	927	3.00%
Eastland County	7,511	7,101	410	2.90%
Mills County	2,018	1,969	49	1.30%
Hamilton County	3,318	3,198	124	1.90%
Zone of Interest Total	**58,062**	**54,903**	**3,163**	**2.80%**

Source: U.S. Census Bureau- 2021 American Community Survey 1-Year Estimate

Households, Income and Poverty

As shown in Table 3-11, there are approximately 50,000 households in the Zone of Interest with the average household size of 3.22 persons.

Table 3-11. Households and Household Size

Geographical Area	Total Households	Average Household Size
Texas	10,491,147	3.27
Comanche County	6, 912	3.27
Erath County	18,325	3.29
Brown County	18,897	3.04
Eastland County	7,167	3.15
Mills County	2,529	3.13
Hamilton County	2,954	3.46
Zone of Interest	**49,872**	**3.22**

Sources: U.S. Census Bureau- 2020 Decennial Census. 2021 American Community Survey 5-Year Estimates

The median household income in the Zone of Interest ranged from $43,953 in Hamilton County to $56,691 in Erath County in 2021, as displayed in Table 3-12. Per capita income in the Zone of Interest was $30,222 in 2021, comparable to the state of Texas, which had a per capita income of $34,255.

Table 3-12. 2021 Median and Per Capita Income

Geographical Area	Median Household Income	Per Capita Income- 2021
Texas	$67,321	$34,255
Comanche County	$55,743	$27,646
Erath County	$56,691	$29,321
Brown County	$49,232	$37,819
Eastland County	$43,953	$28,110
Mills County	$53,483	$31,069
Hamilton County	$44,030	$27,367
Zone of Interest Total	**$50,522**	**$30,222**

Sources: U.S. Census Bureau-2021 American Community Survey 5-Year Estimates

Table 3-13 displays the percentage of persons and families whose incomes fell below the poverty level in the past twelve months as of 2021. There was basically no difference in the percentage of persons in the in the Zone of Interest with incomes below the poverty level in 2021 (14.4%) as compared to the state of Texas (14.2%). Erath County had the most persons with incomes below the poverty level at 16.1% , followed by Comanche County at 16.1% , Brown County at 15.3%, Hamilton County had 14.8%, Eastland County had 13.7% and Mills County had 8.5%.

Table 3-13. Median Income and Percent below Poverty Level

Geographical Area	All Persons
Texas	14.20%
Comanche County	16.10%
Erath County	17.90%
Brown County	15.30%
Eastland County	13.70%
Mills County	8.50%
Hamilton County	14.80%
Zone of Interest Total	**14.40%**

Source: U.S. Census Bureau – 2021 American Community Survey 5-Year Estimates

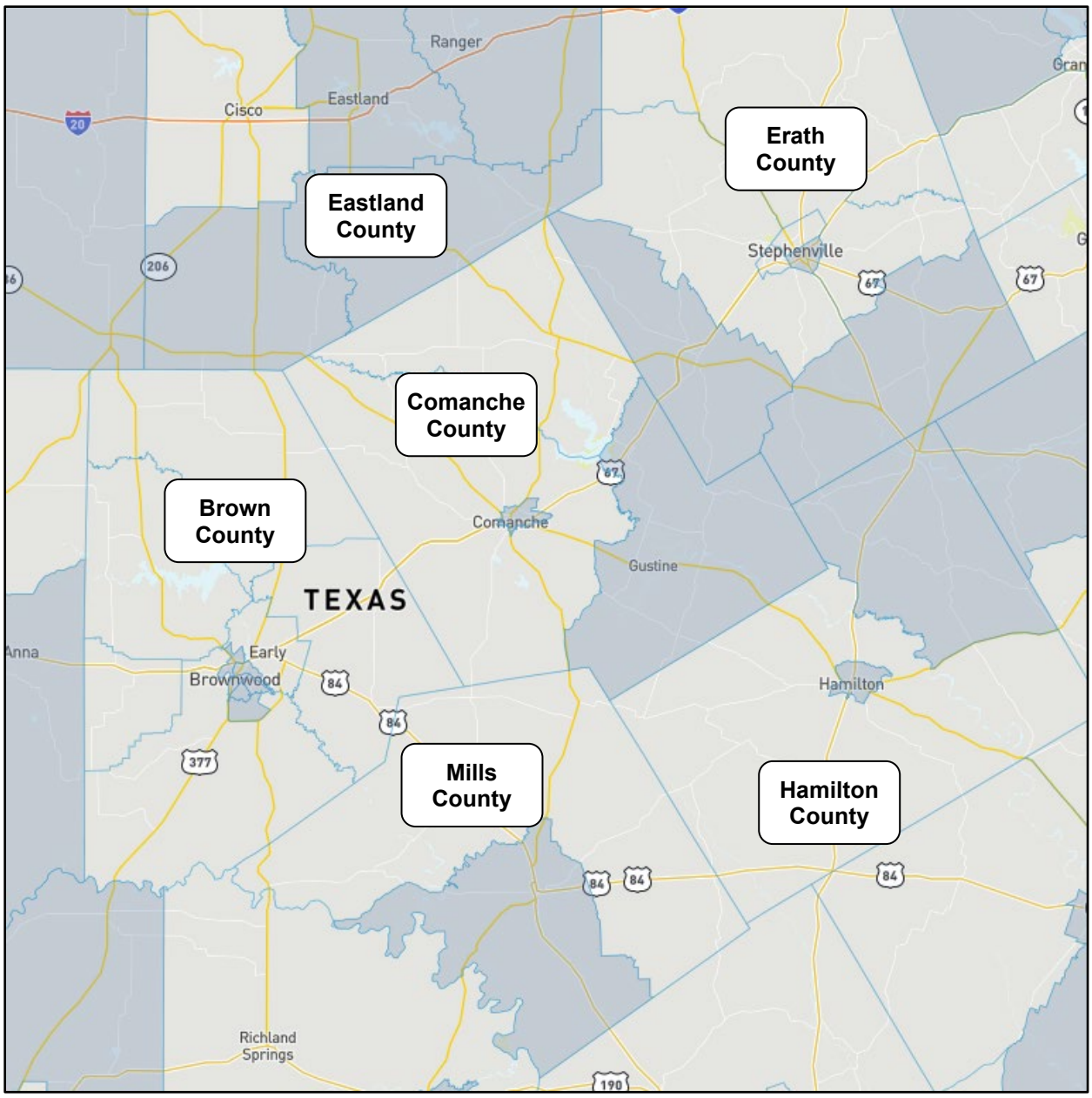

Figure 3-13. Disadvantaged Census Tracts in the Zone of Interest (In Dark Gray)
Source: Administration's Council on Environmental Quality's Climate and Economic Justice Screening Tool -2023

Though not a mission of Proctor Lake, USACE recognizes the importance of Proctor Lake and the activities on USACE lands and waters as being an important part of the local economy. Besides the obvious economic savings through flood risk management and development advantages through water supply, businesses can see investment opportunities, and people are drawn to the natural areas surrounding USACE lakes, as is evidenced by the growing number of residents adjacent to USACE properties. Nationally, USACE lakes attracted about 368 million recreation visits in FY 21 to 402 lakes, with direct economic benefits on local economies within a 30-mile radius. Tables 3-14, 3-15, and 3-16 describes some of the extended social, environmental, and economic benefits of Proctor Lake for the surrounding communities for 2021.

Table 3-14. Proctor Lake Social Benefits 2021

Facilities in FY 2022
• 5 recreation areas • 63 picnic sites • 253 camping sites • 1 playground • 6 swimming areas • 2 trails • 11 trail miles • 7 fishing piers and platforms • 7 boat ramps
Visits (person-trips) in FY 2021
• 116,105 in total • 67,759 picnickers • 13,247 campers/overnight visitors • 12,721 swimmers • 6,290 walkers/hikers/joggers • 500 boaters • 3,313 sightseers • 3,343 anglers • 29,165 special event attendees • 11,423 others
Public Outreach in FY 2021
• 1,072 public outreach contacts
Benefits in Perspective
By providing opportunities for active recreation, USACE lakes help combat one of the most significant of the nation's health problems: lack of physical activity. Recreational programs and activities at USACE lakes also help strengthen family ties and friendships; provide opportunities for children to develop personal skills, social values, and self-esteem; and increase water safety

Source: US Army Corps of Engineers, Institute for Water Resources https://www.iwr.usace.army.mil/Missions/Value-to-the-Nation/

Table 3-15. Proctor Lake Economic Benefit 2021

Economic Data in FY 2021
Visitation per year resulted in: • $ 3,436,506 in visitor spending within 30 miles of the USACE lake • $ 2,459,477 in sales within 30 miles of the USACE lake • 29 jobs within 30 miles of the USACE lake • $ 583,841 in labor income within 30 miles of the USACE lake • $ 867,212 in value added within 30 miles of the USACE lake • $ 1,201,634 in National Economic Development Benefits With multiplier effects, visitor trip spending resulted in: • $ 3,778,980 in total sales • 41 jobs • $ 919,040 in labor income • $ 1,432,597 in value added (wages & salaries, payroll benefits, profits, rents, and indirect business taxes)
Benefits in Perspective
The money spent by visitors to USACE lakes on trip expenses adds to the local and national economies by supporting jobs and generating income. Visitor spending represents a sizable component of the economy in many communities around USACE lakes

Source: US Army Corps of Engineers, Institute for Water Resources https://www.iwr.usace.army.mil/Missions/Value-to-the-Nation/

Table 3-16. Proctor Lake Environmental Benefit 2021

Resources Data in FY 2021
• 4,399 land acres • 4,610 water acres • 38 shoreline miles
Benefits in Perspective
Recreation experiences increase motivation to learn more about the environment; understanding and awareness of environmental issues; and sensitivity to the environment.

Source: US Army Corps of Engineers, Institute for Water Resources https://www.iwr.usace.army.mil/Missions/Value-to-the-Nation/

Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income regarding the development, implementation, and enforcement of environmental laws, regulations, and policies, with no group bearing a disproportionate burden of environmental harms and risks.

For the U.S. Army Corps of Engineers, environmental justice and disproportionate impacts to vulnerable communities are considered throughout the agency's Civil Works programs and in all phases of project planning and decision-making. Environmental justice is achieved when everyone enjoys the same degree of protections and equal access to USACE Civil Works programs and services to achieve a healthy environment in which to live, learn, and work.

Whether studying, planning, designing, constructing, and operating the USACE Civil Works projects or providing assistance, the USACE works to meet the needs of diverse communities by reducing disparate environmental burdens, removing barriers to participation in decision-making, and increasing access to benefits provided by USACE to vulnerable communities within the USACE authorities. USACE Environmental Justice Goals include the following (USACE, 2023), for which the Cottage Grove and Dorena Lakes Regional Master Plan and Environmental Assessment has been developed to achieve:

- Modify existing policy, guidance and programs to be more inclusive of diverse community needs.
- Utilize latest in GIS mapping and benefit analysis technologies.
- Develop outreach strategies that address tribal, regional and remote needs of the nation and our territories.
- Identify partnering opportunities with state, local, Tribal, and community based environmental justice groups to improve climate resiliency.

In studying, planning, designing, constructing, and operating USACE Civil Works projects or providing assistance, USACE shall work to meet the needs of disadvantaged communities by reducing disparate environmental burdens, removing barriers to participation in decision-making, and increasing access to benefits provided by Civil Works programs to disadvantaged communities within USACE authorities. USACE will work to accommodate and encourage participation of all communities as partners in the assessments of need, studies, planning development, and implementation. USACE Civil Works will focus environmental justice activities into three broad areas: 1) improving outreach and access to USACE Civil Works information and resources; 2) improving access to USACE Civil Works technical service programs (e.g., Planning Assistance to States and Floodplain Management Services programs) and maximizing the reach of Civil Works projects to benefit the disadvantaged communities, in particular as it relates to climate resiliency; and, 3) ensuring any updates to USACE Civil Works policies and guidance will not result in a disproportionate impact on disadvantaged communities.

According to the Administration’s Council on Environmental Quality’s Climate and Economic Justice Screening Tool, the Zone of Interest of this Master Plan contains one census tract identified as Disadvantaged directly adjacent to the Proctor Lake and 22 census tracts within 30 miles identified as Disadvantaged impacting 73,000 people (58% of the total population of 124,637). Disadvantaged Metrices for these census tracts include Impacted by Increased Wildfires, Energy Cost, Health Burdens, Housing and Work Force Development.

3.11.1 Alternative 1: No Action

Under the No Action Alternative, there would be no changes to the existing LMP, with the USACE continuing to manage Proctor Lake natural resources as set forth in the 1976 LMP. There would be no major adverse long-term impacts on socioeconomic resources. Beneficial socioeconomic impacts existing as a result of the implementation of the 1976 LMP would continue, as visitors would continue to come to the lake from surrounding areas. In addition to camping in USACE-operated campgrounds, many

visitors purchase goods such as groceries, fuel, and camping supplies locally, eat in local restaurants, stay in local hotels and resorts, play golf at local golf courses, and shop in local retail establishments. These activities would continue to bring revenues to local companies, provide jobs for local residents, and generate local and state tax revenues. There would be no disproportionately high or adverse impacts on minority or low-income populations or children with the implementation of the Proposed Action Alternative.

3.11.2 Alternative 2: Proposed Action

Proctor Lake is beneficial to the local economy through indirect job creation and local spending by visitors, and also offers a variety of recreation opportunities and uses innovative maintenance and planning programs to minimize usage fees.

Since recreational opportunities remain abundant, and the 2024 SMP recognizes and reinforces projected recreational trends there will be negligible, long-term beneficial impacts on area economic stability and environmental justice populations resulting from the revision of the 1976 LMP.

After using the Environmental Protection Agency (EPA) Climate and Economic Screening Tool (CEST) (2023), the lake is determined to be surrounded by disadvantaged communities on the southeast side, with none being on the rest of the lake. These communities are defined by the EPA (2022) as those that meet one or both screening criteria, meet the threshold of burden for the CEST, and or are on land within the boundaries of Federally Recognized Tribes. The CEST provides two burden criteria for disadvantaged communities as being characterized by “(1) at or above the threshold for one or more environmental, climate, or other burdens, and (2) at or above the threshold for an associated socioeconomic burden”. The communities surrounding Proctor Lake meet the burden criteria for being within the socioeconomic, climate change, and energy thresholds. There will be no impacts to these communities as a result of implementing the 2024 SMP because no construction activities will occur as result of implementation that will otherwise impact these communities. There will be no disproportionately high or adverse impacts on minority or low-income populations or children with the implementation of the Proposed Action Alternative.

3.12 RECREATION

Zone of Influence and Visitation Statistics

The primary Zone of influence for Proctor Lake encompasses Comanche, Hamilton, Erath, Eastland, Brown, and Mills counties. These are the primary areas from which visitors to Proctor Lake originate, thus have the most impact and are impacted the most from activities at Proctor Lake.

Visitation Profiles

Most visitors to Proctor Lake come from within a 100 miles radius of the lake (74.93%). Proctor Lake's visitors are a diverse group ranging from campers who utilize the campgrounds, full time and parttime residents of the nearby subdivisions that border the lake, waterfowl hunters who utilize the upper end of the lake area, day users who utilize the day use parks, designated swim beaches and boat ramps, and site seers.

There were 6579 camping permits issued for the campgrounds through the Recreation One Stop Reservation Service (R1S) in FY 2022. 5126 of those permits had zip codes (78%). 57.4 % of the reservations with zip codes were made from locations within the Zone of influence. Of that percentage, 20.1 % were from Erath County, 19.6% from Comanche County, 8.4% from Brown County, 4.2% from Eastland County, 30% from Hamilton County, and 2.1% from Mills County.

Out of all reservations, 2,893 (44%) originated from zip codes within 50 miles of the lake which includes the zone of influence . An additional 937 permits (14.2%) originated from between 50 and 100 miles. 645 permits(10%) originated from between 100 and 150 miles. 145 permits (2%) originated from 150 to 550 miles. This includes El Paso, Brownsville, Dumas and Orange and Atlanta, all the further most points in Texas.

There were numerous reservations being made from out of state locations; either passing through or with Proctor Lake as a destination. 316 (5%) out of state reservations were from as far away as Alaska, Michigan, Massachusetts, California, and Florida. Florida had 34, New Mexico 31, Arkansas, 27 and Illinois 25.

In 2022, Proctor Lake had 118,921 visitors. This is more than the total population of the six counties that make up the Zone of Interest. The peak visitation months are April through October when 93% of the visits occur. June is the highest visitation month and accounts for 19% of the annual total. Approximately 99.5% of the visitation occurs on USACE managed recreation areas. Figure 3-14 depicts Proctor Lake's visitation for the last nine years. The lowest visitation was in 2016 when the lake experienced its pool elevation of record. The flood hit right before the recreation season and the parks were closed due to high water and flood damage repair the rest of the year.

Figure 3-14. Proctor Lake Visitation 2014- 2022
Source: USACE- Visitor Estimation Reporting System – Project Roll Up Reports.

In 2018, USACE's National Recreation Program conducted user surveys at numerous parks across the country in order to convert metered volume vehicle counts into vehicle estimates (number of visitors per vehicle). As part of that survey, users were asked what type of recreational activities they would be partaking in during their visit. From the results of those surveys a weighted load factor was developed and applied to the Visitor Estimation Reporting System (VERS) monthly traffic counter readings at all USACE recreation areas including those at Proctor Lake. According to the national FY22 VERS visitation role up report, there were 118,921 visits to Proctor Lake. This report also showed the percentage of each activity that the visitors engaged in during their visits as shown in Figure 3-15.

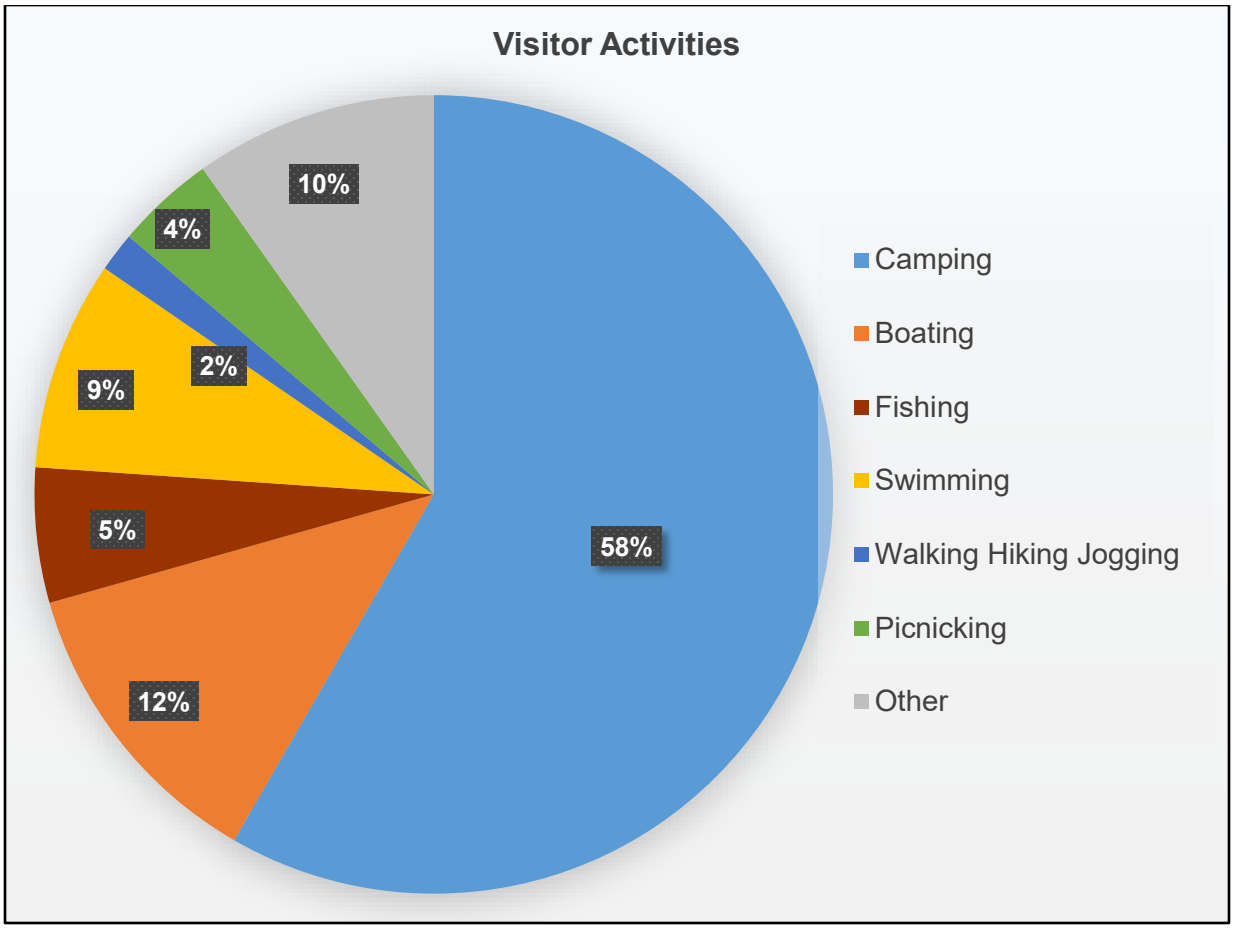

Figure 3-15. Visitor Activities
Source: USACE 2018 Visitor Survey

Recreation Areas and Facilities

USACE operates the following parks at Proctor Lake where user fees are charged: Copperas Creek, Copperas Day Use, Sowell Creek, and Promontory Parks. These parks, one of which is seasonal, have controlled access with 24-hour presence provided by either contract gate attendants for volunteer campground host. All fee parks combined provide 208 campsites, seven boat ramps with 14 launch lanes, seven group camping shelters with pavilions, 63 picnic sites, 38 parking lots with 856 parking spots, six swimming beaches and 12.8 miles of paved park roads.

There is two access points that are free to the public. One is at the Sowell Creek Bridge which has and all-weather gravel parking area with no designated parking slots. The other is High Point Park. It is an access area and trail head for the Proctor's equestrian trails.

Proctor Lake has leased two small undeveloped areas to Comanche County. Each area consists of an unimproved boat ramp.

Recreational Analysis – Trends

Proctor Lake recreation areas, natural shoreline, and water add to the attractiveness, vitality, and increased appreciation for the outdoors by users. These areas provide a sense of place and allow a growing urban population to enjoy outdoor recreation opportunities in a rural, natural setting. Outdoor recreation at Proctor Lake falls within two broad categories: land-based and water-based recreation. Management objectives for each type vary depending on the location and the intensity of use. Recreation management objectives in this Plan project future direction and actions necessary to meet the public's needs for land and water-based recreation. The reservoir provides recreational opportunity for swimming, boating, fishing, and other water sports. The area around the reservoir provides picnicking and camping for casual, overnight, or vacationing visitors. Additionally, horseback riding is permitted in designated areas, and hiking and bird watching are encouraged throughout the project lands. Project lands are open for public hunting except in developed recreational area and lands in the vicinity of the dam and other project structures. Increases in these uses are expected, therefore, future development will be directed primarily toward those activities.

The most recent customer satisfaction comment card summary for Proctor Lake is provided in Table 3-17. The summary from the 2022 Proctor Lake Visitor Comment Card survey shows that visitors are very satisfied with the current facilities.

Table 3-17. 2022 Proctor Lake Visitor Comment Card Survey – Customer Satisfaction

Customer Satisfaction Item	No. of Visitor Respon-ses	Percent Response: Very Good (5)	Percent Response: Good (4)	Percent Response: Neither Good nor Poor (3)	Percent Response: Poor (2)	Percent Response: Very Poor (1)	Total	Mean Response (1-5 Scale)
FACIILTIES:								
Suitability of park facilities for my recreational equipment and activities	228	64	32	3	1	0	100	4.6
Restroom cleanliness and availability of conveniences	221	57	35	5	2	1	100	4.3
Appearance of park grounds	230	63	34	1	1	1	100	4.6
Adequacy of signs providing directions and information	228	67	32	1	0	0	100	4.7
Parking space availability during my visit	214	64	32	3	1	0	100	4.3

Customer Satisfaction Item	No. of Visitor Respon-ses	Percent Response: Very Good (5)	Percent Response: Good (4)	Percent Response: Neither Good nor Poor (3)	Percent Response: Poor (2)	Percent Response: Very Poor (1)	Total	Mean Response (1-5 Scale)
Condition of roads and parking areas in the park	229	61	32	6	1	0	100	4.6
EMPLOYEES:								
Availability of park rangers and staff	228	66	32	2	0	0	100	4.6
Helpfulness of park rangers and staff	228	71	28	1	0	0	100	4.7
ENVIRONMEN-TAL SETTING:								
Attractiveness of surrounding scenery and landscape	227	68	31	0	0	1	100	4.6
Quality of land and water resources for my activities	226	65	34	1	0	0	100	4.6
OVERALL:								
Waiting times needed to access park facilities and services	226	71	27	2	0	0	100	4.7
Feeling of safety and security in the park	229	74	25	1	0	0	100	4.8
Value received for any visitor fees paid	227	72	27	1	0	0	100	4.7
Overall satisfaction with my visit to this area	229	75	25	0	0	0	100	4.8

Source: USACE- 2022 Proctor Lake Visitor Comment Card Survey

A total of 103 written comments were collected from visitors in USACE parks from Proctor's 2022 Visitor Card Surveys. Individuals could write down anything on their comment cards. The most comments (31%) were centered around grounds keeping. These were complaints about mowing heights, stickers, and trash. The next topic mentioned was about fishing piers and boat ramp with 18%. These centered around wanting more fishing docks and improving the boat ramps for access during low water elevations. Campsite improvements received 17% of the comment. Nearly all of these comments wanted an increase in electrical service from 30 Amp service to 50 Amp service. Other comments requested wider sites, more shade and sewer hook ups. More trees were the next request at 16%. Restroom Improvements and More Activities each had 6%. Request for air conditioning and better ventilation were the comments for Restrooms. More activities ranged from request for basketball courts to more swim beaches.

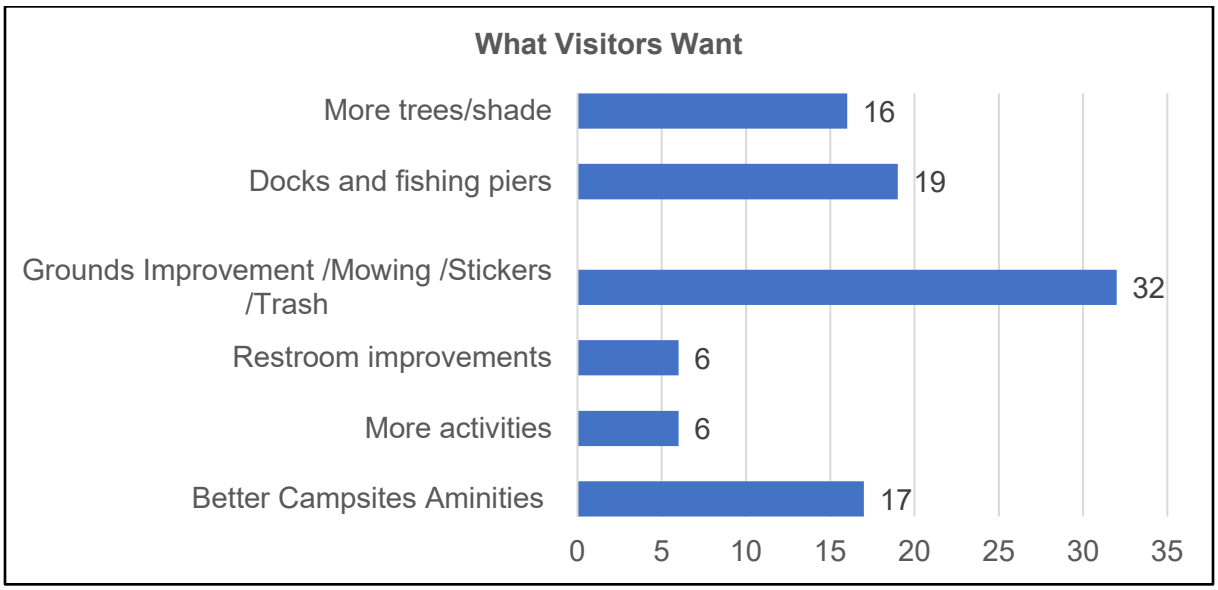

Figure 3-16. 2022 Proctor Lake Comment Cards - What Visitors Want

Source: USACE- 2022 Proctor Lake Visitor Comment Card Survey.

The only public comments focused on recreation received during the master planning process pertained to the partial winter closure of Copperas Creek Park and the operation and management of now closed High Point Park. There were no comments on the existing facilities nor desire to enhance the already outstanding outdoor recreation experience. USACE currently relies on partnerships for improvements to recreational amenities, and as time, partnerships, and budget allows, will integrate more facilities to accommodate the public's needs and desires. These activities are balanced with the primary missions of the Lake, namely flood risk management, water supply, and the inherent mission of environmental stewardship.

Recreational Carrying Capacity

The recreation carrying capacity of a lake is the amount of development, use, and activity any lake and associated recreational lands can sustain without being permanently adversely impacted. No recreation carrying capacity studies have been

conducted at Proctor Lake. Presently, USACE manages recreation areas at Proctor Lake using historic visitation data combined with best professional judgment to address recreation areas considered to be overcrowded, overused, underused, or well balanced. USACE will continue to identify possible causes and effects of overcrowding and overuse and apply appropriate best management practices and site management using Recreation One Stop Reservation Service (R1S) utilization data and Visitation Estimation & Reporting System (VERS).

Proctor's three Class A parks (parks offering modern restrooms, potable water, and electrical and water hookups at campsites), although full on major summer holiday weekends, are not being over utilized by the public. Occupancy rates for these parks averaged 40% from 2021-22 with the highest yearly average being 58% in Copperas Creek in 2021 and the lowest being 22% in Promontory in 2022.

June is Proctor's peak month for visitation. In June of FY 2022, average occupancy rates ranged from 28% on weekdays to 66% on weekends with an overall occupancy rate of 52%. This indicates that while on some summer weekends these parks are nearly full, there is additional capacity in these areas and no need for additional campsites.

There have been no water-related recreation development studies on Proctor Lake to determine the carrying capacity of the lake regarding the number of boats that could safely operate on the lake surface. However, using data and findings from a 1999 comprehensive Water-Related Recreation Use Study (WRRUS) at Proctor Lake, the Fort Worth District established a target carrying capacity of no less than 22 acres of water per boat on its lakes during peak use times as the SWF's standard for resource protection and user enjoyment. The current Potential Lake Surface Boat Load for Proctor Lake is 38.2 acres of water per boat on peak use days. This is a potential level of use that assumes the lake level is at the conservation pool elevation of 1162.0 NGVD and that all boat ramp parking spaces are occupied, and every boat is on the water. This potential level of use is well above the Fort Worth District target of 22 acres of beatable water per boat, but actual use levels could only be determined through careful on-the-water boat counts coupled with counts of occupied boat ramp parking spaces on peak use days. Furthermore, since the physiography of Proctor Lake creates distinct open water segments, the lake has very definable use Zones. This would have to be considered when considering any future water-related recreation development on the lake. Furthermore, the water level is also subject to extreme fluctuations, with the water elevation falling far below the conservation pool during most peak recreation seasons, which further limits the boatable acres on the lake.

TPWD Texas Outdoor Recreation Plan (TORP)

The 2018 Texas Outdoor Recreation Plan (TORP) published by TPWD is a comprehensive recreational demand study that evaluates recreation trends and needs across Texas and in subdivided regions. Some of the information in the TORP was extracted from the National Survey on Recreation and the Environment (NSRE) and reports generated by the USFWS. Much of the data in the TORP was from a survey

conducted in 2017 titled “Texas Residents’ Participation in and Attitudes Toward Outdoor Recreation by Responsive Management (Survey) on behalf of TPWD. Proctor Lake provides many recreation opportunities that help to meet the recreation needs identified in the TORP and Survey. The 2012 TORP was also referenced to compare the results and see how recreational trends have been changing.

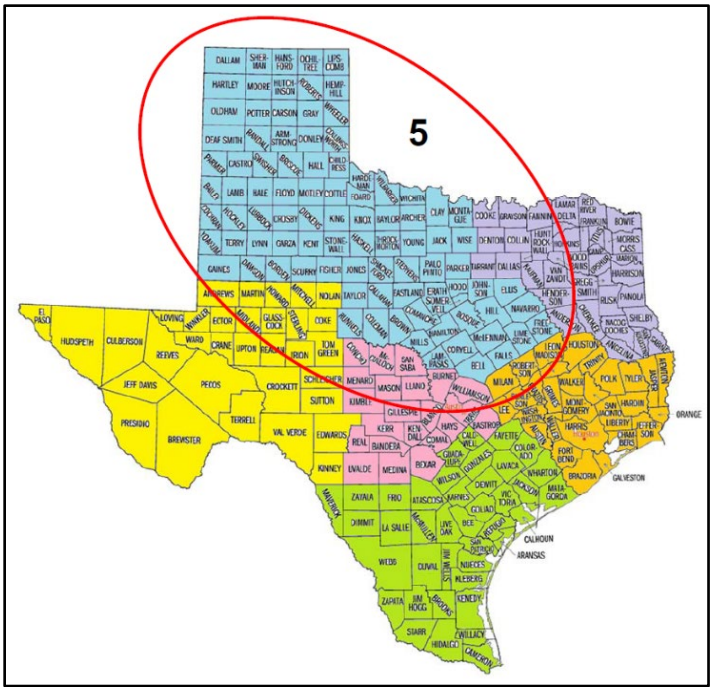

Figure 3-17 - TORP Region 5 – Source: TPWD Survey 2017

The TORP indicated the rates of participation for various outdoor activities in Texas, with Proctor Lake located in TORP Region 5, which is the largest region in Texas and includes many rural northwestern and central counties as shown in . Across the entire state, walking for pleasure is the most popular outdoor activity with picnicking, cookouts, and other gatherings being the second most popular activity. Those results are reversed in Region 5 with picnicking, cookouts, or other gatherings coming in as the most popular activity and with walking for pleasure being a close second. The top ten areas of participation for outdoor recreation in Region 5 are indicated in Figure 3-18.

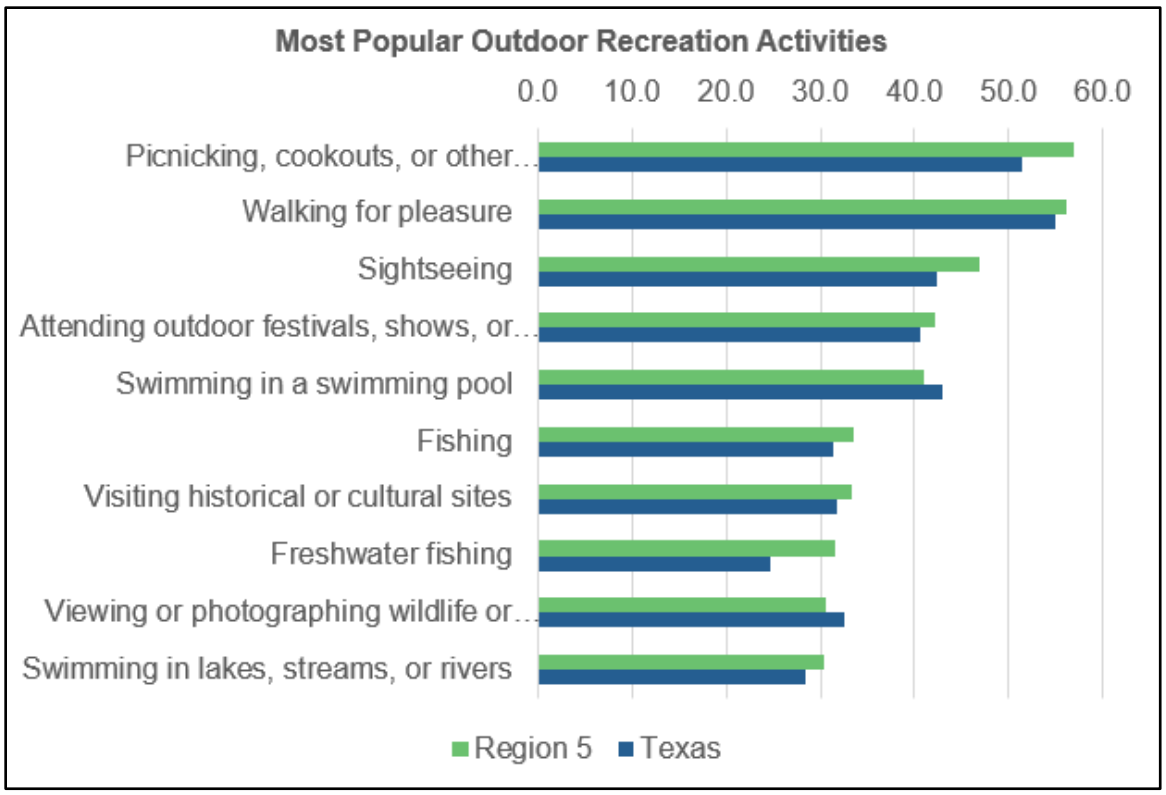

Figure 3-18 Top 10 Most Popular Recreation Activities – Source: 2017 TPWD TORP Survey

Proctor Lake provides an array of opportunities for walking for pleasure; picnicking, cookouts, and gatherings; sightseeing; wildlife viewing and photography; fishing; and swimming in the lake – providing most of the top 10 areas of participation for outdoor recreation activities in the state and region.

Asked "which outdoor recreation opportunities does your community currently lack or would like to see more of in your community," the top answer across the state and region was trails/places to hike/bike; and the next highest response across the state was more parks or park capacity and pools or swimming facilities other than lakes, while in Region 5 the next highest was fishing places and access. The top ten responses are indicated in Figure 3-19. Proctor Lake provides an array of trails and paths for hiking, biking, and equestrian recreation as well as some of the few publicly available areas for fishing in Comanche County. The USACE provides and promotes natural resource-based recreation at lakes projects, and Proctor Lake provides many of the top ten that community members would like to see more of in the community.

Figure 3-19. **"Which outdoor recreation opportunities does your community currently lack or would like to see more of in your community?" – Source: TPWD TORP Survey 2017**

In accordance with historical visitation rates and recent outdoor recreation trends documented in the 2012 and 2018 TORP and 2017 TORP Survey Results, camping in developed and primitive settings has declined significantly since 2000. In contrast, the TORP documented an increase in demand for day trip activities including hiking/walking for pleasure; picnicking, cookouts, or other gatherings; sightseeing; swimming in pools; attending outdoor festivals, shows, or events; and viewing/photographing wildlife/nature. The recreation activity most people say their community lacks is hiking/biking trails but is lacking much less in the Region 5 than the entire state. In response to trends documented in the TORP, USACE will endeavor to improve access to trails in or adjacent to park areas as funding permits and work with other partners to further enhance and improve recreation opportunities. The USACE encourages partnerships with agencies who lease and manage parks to respond to increasing demands and build on the current quality of USACE parks for present and future visitors.

The TORP documented a dramatic increase in the demand for motor homes and travel trailers, but it did not make the top-ten areas of participation or top-ten lacking recreation opportunities. The USACE intends to continue to operate campgrounds and day use areas by maintaining and improving existing facilities but has no long-range plans to add additional campsites or add new motor home or recreational vehicle

facilities at Proctor Lake. In response to comments and the increased trend documented in the TORP, the USACE will continue to monitor demand for motor home and travel trailer facilities as well as other amenities. The USACE will make needed upgrades based on changes in demand as funding permits.

3.12.1 Alternative 1: No Action

The No Action Alternative fails to provide the public with a plan that clearly explains what can and cannot be done in regard to PFFS and private foot paths. Additionally, the No Action Alternative does not reflect current trends or needs in recreation at Proctor Lake. Therefore, under the No Action Alternative, there would be minor, long-term, adverse impacts to recreation.

3.12.2 Alternative 2: Proposed Action

The primary reason for revising the Proctor Lake 1976 LMP is to recognize historical uses, changes in federal regulations, public input, and to bring the LMP into alignment with the 2024 MP.

Under the Proposed Action Alternative, the required revisions to the Proctor Lake SMP will be compatible with current recreation management plans and recognizes regional and national outdoor recreation trends, as well as the changes made in the 2024 MP. The reallocation changes required for the Proposed Action Alternative were developed to enhance regional goals associated with good stewardship of land and water resources that will allow for continued recreational use and development of project lands. The 2024 SMP will prohibit the construction of new PFF and will limit mowing for foot paths to areas reclassified to LDA to PSA. There will be minor, long-term, beneficial impacts to recreation as a result of the Proposed Action Alternative due to improved management of shoreline recreation resources as well as improved and clarified policies for the public.

3.13 AESTHETIC RESOURCES

Proctor Lake includes many acres of scenic shorelines, lake views, and wildlife viewing areas providing high visual and scenic qualities. Some areas are admired for their scenic attractiveness (intrinsic scenic beauty that evokes a positive response), scenic integrity (wholeness of landscape character), and landscape visibility (how many people view the landscape and for what reasons and how long). Some areas have been designated as Wildlife and Vegetative Management, or Environmentally Sensitive Areas to preserve specific animal, plant, or environmental features that also add to the scenic qualities at the lake. Nearby parks have been designed to access the lake, allow access to hiking trails, and take advantage of scenic qualities at the lake and surrounding areas.

Adjacent landowners are informed that removing trees to obtain a view of the lake not only destroys wildlife habitat but also lowers the scenic quality of the shoreline when viewed by the general public from the water surface. Unauthorized removal of trees and other vegetation could result in a fine. Additionally, reasonable measures must be

taken to ensure that damage to the natural landscape from invasive species and catastrophic wildfire are minimized. Vegetative management, mowing permits, debris removal, and other shoreline issues are addressed in the shoreline policy.

3.13.1 Alternative 1: No Action

There would be no impacts on aesthetic resources as a result of implementing the No Action Alternative, as there would be no changes to the existing 1976 LMP.

3.13.2 Alternative 2: Proposed Action

The Proposed Action Alternative includes the retainment PLA miles to a similar management style of PSA as well as restrictions on vegetation management. These changes will preserve the aesthetic value of the environment of Proctor Lake. The retainment of PLA under the similar style of management as PSA will continue to protect and preserve valuable cultural and environmental resources that contribute to the aesthetic properties of Proctor Lake. The continued management of LDA will also preserve the natural aesthetics of the Lake by preventing planting of non-native flora and the removal or disturbance of native flora. Additionally, the new changes to construction of walkways, PFFs, and electrical lines will provide beneficial effects to aesthetics by decreasing soil, vegetation, and wildlife disturbance that may be deemed aesthetically pleasing.

Therefore, the Proposed Action Alternative will result in minor, long-term, beneficial impacts to the aesthetic resources of Proctor Lake.

3.14 HEALTH AND SAFETY

Proctor Lake's authorized purposes include flood risk management and water supply. Compatible uses incorporated in project operation management plans include conservation and fish and wildlife habitat management components. The USACE and TPWD have established public outreach programs to educate the public on water safety and conservation of natural resources. In addition to the water safety outreach programs, the project has established recreation management practices to protect the public. These include safe boating and swimming regulations and speed limit and pedestrian signs for park roads. Proctor Lake also has solid waste management plans in place for camping and day use areas that are maintained by the respective partners that hold the lease.

3.14.1 Alternative 1*:* No Action

Under the No Action Alternative, the 1976 LMP would not be revised. No impacts on human health or safety are anticipated.

3.14.2 Alternative 2: Proposed Action

Under the Proposed Action Alternative, the required revisions to the 1976 LMP will be compatible with project safety management plans. The project will continue to have reporting guidelines in place should water quality become a threat to public health. Changes to vegetation management, electrical lines, walkway requirements and private

floating facilities as a result of the 2024 SMP will improve public health and safety. Overall, there are no shoreline allocations that will have any impact on human health or safety. Existing regulations and safety programs throughout the Proctor Lake area will continue to be enforced to ensure public safety.

Therefore, there will be minor, long-term, beneficial impacts on public health and safety as a result of implementing the Proposed Action Alternative.

3.15 SUMMARY OF CONSEQUENCES AND BENEFITS

Table 3-18 provides a tabular summary of the consequences and benefits for the No Action and Proposed Action Alternatives for each of the 14 assessed resource categories.

Table 3-18. Summary of Consequences and Benefits

Resource	Change Resulting from the 2024 MP	Environmental Consequences: No Action Alternative	Environmental Consequences: Proposed Action Alternative	Benefits Summary
Land Use	Will prohibit the building of new PFF and have additional measures that vegetation clearance must comply with.	Minor, long-term, adverse impacts because continued demand for recreational shoreline access would continue.	Provides minor, long-term beneficial impacts by prohibiting excessive vegetation removal and alteration along Proctor Lake shoreline. Places a limit to recreational shoreline access. Does not change any MP land use classifications but will complement it.	Will provide for a clearly defined plan that is current with accepted land management practices and USACE regulations and policies.
Water Resources Including Groundwater, Wetlands, and Water Quality	Will prohibit the building of new PFF and have additional measures that vegetation clearance must comply with.	No Impacts.	Minor, long-term, beneficial impacts to wetlands due to a reduction in erosion, runoff, and soil instability which contribute to poor water quality.	Reduces erosion, runoff, and soil instability as well as restricts construction at Proctor Lake which can all contribute to reduced water quality.
Climate, Climate Change, and Greenhouse Gases	No change.	No Impacts.	No Impacts.	No added benefit.

Resource	Change Resulting from the 2024 MP	Environmental Consequences: No Action Alternative	Environmental Consequences: Proposed Action Alternative	Benefits Summary
Air Quality	No change	No Impacts.	No impacts, because no new structures and recreational features will be built nor will the SMP promote an increase in activities that will alter air quality.	Will prohibit the construction of all new PFFs. Will limit vegetation clearing to the use of hand tools and small lawn maintenance equipment.
Topography, Geology and Soils	Will prohibit the building of stairways. Will have various limitations on vegetation clearing.	No Impacts.	Provides minor, long-term benefits by reducing erosion and soil instability.	Will limit areas that are already being eroded by recreation to those that are consistent with the existing condition under the 1976 LMP. Limitations on construction and vegetation clearing will also contribute to reduced soil instability.
Natural Resources	Will prohibit the building of new PFF. Additional compliance measures for vegetation clearance.	No impacts.	Provides moderate, long-term, beneficial impacts by prohibiting excessive vegetation removal and alteration along Proctor Lake shoreline. Places a limit to recreational shoreline access.	Will have various construction and vegetation clearing limitation. Will keep disturbance to areas consistent with the existing conditions under the 1976 LMP.

Resource	Change Resulting from the 2024 MP	Environmental Consequences: No Action Alternative	Environmental Consequences: Proposed Action Alternative	Benefits Summary
Threatened and Endangered Species, including SGCN species.	Will prohibit the building of new PFF and limitation on private foot paths. Will keep areas disturbed to those already disturbed by the 1976 LMP.	No Impacts.	Will have no effect on federally listed species under the context of Section 7 of the ESA. Provides minor, long-term, beneficial impacts to listed species' habitat by prohibiting excessive vegetation removal and alteration along Proctor Lake shoreline. Places a limit to recreational shoreline access, which reduces overall disturbance.	Will maintain existing conditions for listed species that utilize the shoreline consistent with the existing conditions under the 1976 LMP. Will reduce overall habitat disturbance due to shoreline reallocations and limitations placed on shoreline construction.
Invasive Species	Will prohibit the building of new PFF and limitation on private foot paths. Modernizes invasive species management at Proctor Lake with new resource goals and objectives.	No Impacts.	Will have minor, long-term, beneficial impacts from implementing various measures that will help to prevent the spread of invasive species.	Clearer language on where certain structures and private foot paths can and cannot be built as well as the means and methods that they can built. This will help to reduce the spread of invasives. Updated invasive species management policy consistent with the new resource goals and objectives.
Cultural Resources	No change.	No Potential to Affect.	No Potential to Affect.	Limitations on construction of walkways and stairways as well as vegetation management help to reduced disturbance of potential cultural resources.
Paleontological Resources	No change.	No Impacts.	No Impacts.	No added benefit.

Resource	Change Resulting from the 2024 MP	Environmental Consequences: No Action Alternative	Environmental Consequences: Proposed Action Alternative	Benefits Summary
Socioeconomics and Environmental Justice	No change.	No Impacts.	No Impacts.	No added benefit
Recreation	Will prohibit the building of new PFF. New resource goals and objectives align with modern trends and needs in recreation at Proctor Lake.	Minor, long-term, adverse impacts due to the 1976 LMP not reflecting current trends and needs in recreation at Proctor Lake.	Minor, long-term, beneficial impacts due to the public understanding what recreational structures and activities will be permitted along Proctor Lake shoreline. Benefits also originate from updated recreation objectives and policies at Proctor Lake.	Will provide the public with a plan that clearly explains what can and cannot be done in regards to PFFS and private foot paths. The 2024 SMP aligns itself with modern trends and needs in recreation at Proctor Lake.
Aesthetic Resources	Will prohibit the building of new PFF and provides additional measures that vegetation clearing must comply with .	No Impacts.	Minor, long-term, beneficial impacts due to vegetation modification or removal that may either obstruct or contribute to aesthetic value to those areas with an existing PFF.	Benefits may occur due to a reduction in vegetation removal along the shoreline at Proctor Lake.

Resource	Change Resulting from the 2024 MP	Environmental Consequences: No Action Alternative	Environmental Consequences: Proposed Action Alternative	Benefits Summary
Health and Safety	Modernizes management and restrictions on vegetation management, electrical lines, walkway requirements, and PFF's.	No Impacts.	Minor, long-term, beneficial impacts due to changes in vegetation management, electrical lines, walkway requirements, and PFF's that increase safety.	Enhances health and safety by modernizing construction, access, and vegetation management at Proctor Lake.

SECTION 4: CUMULATIVE IMPACTS

NEPA regulations updated May 20, 2023, require that cumulative impacts of a proposed action alternative be assessed and disclosed in an EA. Council on Environmental Quality (CEQ) regulations define a cumulative impact as "*the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time*." (40 CFR 1508.7). Impacts can be positive or negative.

By Memorandum dated June 24, 2005 from the Chairman of the CEQ to the Heads of Federal Agencies entitled "Guidance on the Consideration of Past Actions in Cumulative Effects Analysis", CEQ made clear its interpretation that "…generally, agencies can conduct an adequate cumulative effects analysis by focusing on the current aggregate effects of past actions without delving into the historical details of individual past actions…" and that the "…CEQ regulations do not require agencies to catalogue or exhaustively list and analyze all individual past actions." CEQ guidance also recommends narrowing the focus of cumulative impacts analysis to important issues of national, regional, or local significance.

The initial step of the cumulative impact analysis uses information from the evaluation of direct and indirect impacts in the selection of environmental resources that should be evaluated for cumulative impacts. A Proposed Action would not contribute to a cumulative impact if it would not have a direct or indirect effect on the resource.

Based on a review of the likely environmental impacts analyzed in Section 3 (Affected Environment and Consequences) the USACE determined that the analysis of cumulative impacts will be limited to: land use, water resources, climate, climate change, GHG, air quality, topography, geology, soils, natural resources, threatened and endangered species, invasive species, cultural resources, historical resources, archeological resources, recreation, aesthetic resources, and health and safety. With respect to the remaining resource topics such as climate, climate change, and greenhouse gases, air quality, socioeconomics and environmental justice, and hazardous, toxic, and radioactive waste, both the No Action and Proposed Action alternatives will either:

1. Not result in any direct or indirect impacts and therefore will not contribute to a cumulative impact; or,

2. That the nature of the resource is such that impacts do not have the potential to cumulate. For example, impacts related to geology are site specific and do not cumulate; or,

3. That the future with or future without project condition analysis is a cumulative analysis and no further evaluation is required. For example, because climate change is global in nature, the future without project condition and future with project condition analysis is inherently a cumulative impact assessment.

For each resource topic carried forward for cumulative impact analysis, the timeframe for analysis is the time since the 1976 LMP was implemented (past) and thru the life of the 2024 Master Plan (25 years – to 2049). The zone of interest for all resources except economy is Comanche County, Texas. The zone of interest for economics is the same used in Section 3.10.

4.1 PAST IMPACTS WITHIN THE ZONE OF INTEREST

Proctor was originally authorized for construction in 1954 as a multi-purpose reservoir for flood control, water conservation, fish and wildlife, and recreation. Construction of Proctor Dam access road began on July 11, 1960, and on the embankment on January 16, 1961; deliberate impoundment began September 30, 1963; and the dam was completed on January 2, 1964. The total project area at Proctor encompasses 9,009 acres, including the 4,574 acres of surface water at normal pool elevation of 1,162.0 feet. The entire 9,009 acres were acquired in fee simple title by USACE with perpetual Flowage Easements on 7,695 acres.

4.2 CURRENT AND REASONABLY FORESEEABLE PROJECTS WITHIN AND NEAR THE ZONE OF INTEREST

Future management of the 1,717 acres of Flowage Easement Lands at Proctor includes routine inspection of these areas to ensure that the Government's rights specified in the easement deeds are protected. In almost all cases, the Government acquired the right to prevent placement of fill material or habitable structures on the easement area. Placement of any structure that may interfere with the USACE flood risk management and water conservation missions may also be prohibited. At the time of this publication, there are not any major projects like road expansion, new industrial centers, neighborhoods being built, and new hiking trails in and around Proctor Lake.

The Texas Department of Transportation (TxDOT) has the following projects planned which could affect access to Proctor Lake:

- On FM 1476 at the east end of the lake, TXDOT plans to widen the road and add shoulders within the next 5 years. This project will restrict the lanes of traffic and add congestion during construction. The plan does not include details on the bridge that crosses Sowell Creek across USACE fee property.
- Along US 377 there are plans to widen the roadway southeast of Proctor Lake between 5-10 years which is likely to increase traffic congestion during construction.

National USACE policy set forth in ER 1130-2-550, Appendix H, states that USACE lands would, in most cases, only be made available for roads that are regional arterials or freeways (as defined in ER 1130-2-550). All other types of proposed roads, including driveways and alleys, are generally not permitted on USACE lands. The proposed expansion or widening of existing roadways on USACE lands will be considered on a case-by-case basis.

4.3 ANALYSIS OF CUMULATIVE IMPACTS

Impacts on each resource were analyzed according to how other actions and projects within the zone of interest might be affected by the No Action Alternative and Proposed Action Alternative. Impacts can vary in degree or magnitude from a slightly noticeable change to a total change in the environment. For the purpose of this analysis the intensity of impacts will be classified as negligible, minor, moderate, or major. These intensity thresholds were previously defined in Section 3.0. Moderate growth and development are expected to continue in the vicinity of Proctor Lake and cumulative adverse impacts on resources will not be expected when added to the impacts of activities associated with the Proposed Action or No Action Alternatives. A summary of the anticipated cumulative impacts on each resource is presented below.

4.3.1 Land Use

A major impact would occur if any action were inconsistent with adopted land use plans or if an action would substantially alter those resources required for, supporting, or benefiting the current use. Under the No Action Alternative, land use would not change. Although the Proposed Action Alternative will result in the mileage changes of shoreline allocations, the changes in area were developed to enhance regional goals associated with good stewardship of shoreline resources that will allow for continued use and development of project lands. Therefore, cumulative impacts on shoreline use within the area surrounding Proctor Lake, when combined with past and proposed actions in the region, are anticipated to be minimal.

4.3.2 Water Resources

Proctor Lake was developed for flood control, water supply, fish and wildlife management, and recreation purposes. A major impact would occur if any action were inconsistent with adopted surface water allocations or water use plans, or if an action would substantially alter those resources required for, supporting, or benefiting the current use. The reallocations required for the Proposed Action Alternative will allow land management and land uses to be compatible with the goals of good stewardship of water resources. Therefore, cumulative impacts on water quality from the Proposed Action Alternative at Proctor Lake are anticipated to be negligible when combined with past and proposed actions in the area.

4.3.3 Topography, Geology, and Soils

A major impact could occur if a proposed future action exacerbates or promotes long-term erosion, if the soils are inappropriate for the proposed construction and would create a risk to life or property, or if there would be a substantial reduction in agricultural production or loss of Prime Farmland soils. The Proposed Action Alternative does not include any ground-disturbing activities, other than permitted reconstruction of PFF, and is unlikely to disturb any Prime Farmland soils present on Proctor Lake grounds. Cumulative impacts on topography, geology, and soils within the area surrounding Proctor Lake, when combined with past and proposed actions in the region, are anticipated to be negligible.

4.3.4 Natural Resources

The significance threshold for natural resources would include a substantial reduction in ecological processes, communities, or populations that would threaten the long-term viability of a species or result in the substantial loss of a sensitive community that could not be offset or otherwise compensated. Past, present, and future projects are not anticipated to impact the viability of any plant species or community, rare or sensitive habitats, or wildlife. The reclassification of shorelines for the most part to classifications that will manage those areas in a similar manner as they are now under the 1976 LMP, as well as resource objectives that favor protection and restoration of valuable natural resources will have beneficial cumulative impacts. No identified projects will threaten the viability of natural resources. Therefore, there will be minor long-term beneficial impacts to natural resources resulting from the revision of the 2024 MP when combined with past and proposed actions in the area.

4.3.5 Threatened and Endangered Species

The Proposed Action and No Action Alternatives will not adversely impact threatened, endangered and Texas Natural Diversity Database (TXNDD) species within the area. Should federally listed species change in the future (e.g., delisting of the Piping Plover or other species or listing of new species), associated requirements will be reflected in the new shoreline revision land management practices in coordination with the USFWS. The USACE will continue cooperation with the USFWS and TPWD to preserve, enhance, and protect valuable wildlife habitat resources. No reasonably foreseeable future impacts on federal and state listed threatened and endangered species are anticipated.

4.3.6 Invasive Species

The shoreline allocation changes to revise the 1976 LMP are compatible with Proctor Lake invasive species management practices as described in the 2024 MP. Therefore, there will be minor long-term beneficial impacts on reducing and preventing invasive species within the area surrounding Proctor Lake.

4.3.7 Cultural, Historical, and Archaeological Resources

The Proposed Action Alternative will not affect cultural resources or historic properties. Therefore, this action, when combined with other existing and proposed projects in the region, will not result in major cumulative impacts on cultural resources or historic properties. The SMP will follow the same assessments made in the 2024 MP.

4.3.8 Recreation

Proctor Lake provides regionally significant outdoor recreation benefits including a variety of recreation opportunities. The 2024 SMP does not reduce the amount of lands available for recreation, but is an accompanying document to the 2024 MP, which did reduce recreation lands. The conversion of these lands will have no effect on current or projected public use. Therefore, the Proposed Action Alternative, when combined with other existing and proposed projects in the region, will result in negligible beneficial cumulative impacts on area recreational resources.

4.3.9 Aesthetic Resources

No impacts on visual resources will occur as a result of implementing the reclassifications, resources objectives, and resource plan in the 2024 SMP. The Proposed Action Alternative, especially keeping the classification of shorelines for the most part under similar style of management as the 1976 LMP, in conjunction with other projects in the region, will result in minor beneficial cumulative impacts on the visual resources in the Proctor Lake area.

4.3.10 Health and Safety

No health or safety risks will be created by the Proposed Action Alternative. The effects of implementing the 2024 SMP, when combined with other ongoing and proposed projects in the Proctor Lake area, will not be considered a major cumulative effect.

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SECTION 5: COMPLIANCE WITH ENVIRONMENTAL LAWS

This EA has been prepared to satisfy the requirements of all applicable environmental laws and regulations and has been prepared in accordance with the CEQ's implementing regulations for NEPA, 40 CFR Parts 1500 – 1508, and the USACE ER 200-2-2, *Environmental Quality: Procedures for Implementing NEPA*. The revision of the 2024 SMP is consistent with the USACE's Environmental Operating Principles. The following is a list of applicable environmental laws and regulations that were considered in the planning of this project and the status of compliance with each:

Fish and Wildlife Coordination Act of 1958, as amended – The USACE initiated public involvement and agency scoping activities to solicit input on the 2024 SMP revision process, as well as identify reallocation proposals, and identify significant issues related to the Proposed Action Alternative. Information provided by USFWS, and TPWD/TXNDD on fish and wildlife resources has been utilized in the development of the 2024 SMP.

Endangered Species Act of 1973, as amended – Current lists of threatened or endangered species were compiled for the revision of the 1976 LMP. The USACE has determined that there will be No Effect on any federally-listed species with implementation of either alternative.

Executive Order 13186 (Migratory Bird Habitat Protection) – Sections 3a and 3e of EO 13186 directs federal agencies to evaluate the impacts of their actions on migratory birds, with emphasis on species of concern, and inform the USFWS of potential negative impacts on migratory birds. The 2024 SMP revision will not result in adverse impacts on migratory birds or their habitat. Beneficial impacts could occur through protection of habitat as a result of the 2024 SMP revision.

Migratory Bird Treaty Act – The Migratory Bird Treaty Act of 1918 extends federal protection to migratory bird species. The nonregulated "take" of migratory birds is prohibited under this act in a manner similar to the prohibition of "take" of threatened and endangered species under the Endangered Species Act. The timing of resource management activities will be coordinated to avoid impacts on migratory and nesting birds.

Clean Water Act (CWA) of 1977, as amended – The Proposed Action Alternative is in compliance with all state and federal CWA regulations and requirements and is regularly monitored by the USACE and TCEQ for water quality. A state water quality certification pursuant to Section 401 of the CWA is not required for the 2024 SMP revision. There will be no change in the existing management of the reservoir that will impact water quality.

National Historic Preservation Act (NHPA) of 1966, as amended – Compliance with the NHPA of 1966, as amended, requires identification of all properties in the project area listed in, or eligible for listing in, the NRHP. All previous surveys and site salvages were coordinated with the Texas State Historic Preservation Officer. Known sites are mapped and avoided by maintenance activities. Areas that have not undergone cultural resources surveys or evaluations will need to do so prior to any earthmoving or other potentially impacting activities.

Native American Graves Protection and Repatriation Act (NAGPRA) of 1990, as amended – Consultation under NAGRPA is not needed for the land classification updates as the updates would not adversely affect resources protected under this regulation. USACE will coordinate with the relevant Tribes if any Native American remains or cultural items are discovered during future projects that may be implemented under the 2024 SMP.

Archaeological Resources Protection Act (ARPA) of 1979, as amended – An ARPA permit is not necessary for the shoreline allocation updates as the proposed updates would not adversely affect archaeological resources. The USACE would issue a permit under ARPA prior to implementing any future management action involving the excavation or removal of any archaeological resources that is not conducted by USACE.

Clean Air Act of 1977 – The USEPA established nationwide air quality standards to protect public health and welfare. Existing operation and management of the reservoir is compliant with the Clean Air Act and will not change with the 2024 SMP revision.

Farmland Protection Policy Act (FPPA) of 1980 and 1995 – The FPPA's purpose is to minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to non-agricultural uses. There are Prime Farmland and farmland of state importance on Proctor Lake project lands, but these will not be impacted by the 2024 SMP.

Executive Order 11990, Protection of Wetlands, as amended – EO 11990 requires federal agencies to minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in executing federal projects. The 2024 SMP complies with EO 11990.

Executive Order 11988, Floodplain Management – This EO directs federal agencies to evaluate the potential impacts of proposed actions in floodplains. Both alternatives comply with EO 11988, as neither will have impacts to the existing floodplain at Proctor Lake.

CEQ Memorandum dated August 11, 1980, Prime or Unique Farmlands – Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses. The 2024 SMP will not impact Prime Farmland present on Proctor Lake project lands.

Executive Order 14008, Tackling the Climate Crisis at Home and Abroad – This EO directs Federal agencies to evaluate if their projects will benefit or impact disadvantaged communities as defined by the CEQ. The CEQ's CEJST tool was used for this Environmental Assessment, and it was determined that no disadvantaged communities would be impacted by the Proposed Action.

Executive Order 12898, Environmental Justice – This EO directs federal agencies to achieve environmental justice to the greatest extent practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review. Agencies are required to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of its

programs, policies, and activities on minority populations and low-income populations. The revision of the 1976 LMP will not result in a disproportionate adverse impact on minority or low-income population groups.

SECTION 6: IRRETRIEVABLE AND IRREVERSIBLE COMMITMENT OF RESOURCES

NEPA requires that Federal agencies identify "any irreversible and irretrievable commitments of resources which will be involved in the Proposed Action should it be implemented" (42 U.S.C. § 4332). An irreversible commitment of resources occurs when the primary or secondary impacts of an action result in the loss of future options for a resource. Usually, this is when the action affects the use of a nonrenewable resource, or it affects a renewable resource that takes a long time to regenerate. The impacts for this project from the reallocation of shorelines will not be considered an irreversible commitment because subsequent SMP revisions could result in some shorelines being reclassified to a prior, similar shoreline allocation. An irretrievable commitment of resources is typically associated with the loss of productivity or use of a natural resource (e.g., loss of production or harvest). No irreversible or irretrievable impacts on Federally protected species or their habitat is anticipated from implementing the revisions to the 1976 LMP.

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SECTION 7: PUBLIC AND AGENCY COORDINATION

In accordance with 40 CFR §1501.7, 1503, and 1506.6, the USACE initiated public involvement and agency scoping activities to solicit input on the revision of the 1976 LMP. The USACE began its public involvement process with a public scoping meeting to provide an avenue for public and agency stakeholders to ask questions and provide comments. This public scoping meeting was held on January 19, 2023, in the Comanche County Courtroom of the Comanche County Courthouse-101 W. Central Ave., Comanche, Texas 76442.

A second public meeting was held on March 19, 2024, Comanche County Courtroom of the Comanche County Courthouse-101 W. Central Ave., Comanche, Texas 76442 from 4-6pm. This meeting introduced the public to the draft SMP and EA and began the 30-day public review period of the proposed SMP, draft EA and draft Finding of No Significant Impact (FONSI). As with the first public meeting, the USACE, Fort Worth District, placed advertisements on the USACE webpage.

Comments received during the initial scoping period and on the draft MP and EA were incorporated in the documents, as appropriate, in the 2024 SMP.

Attachment A to this EA includes the agency coordination letters, and the coordination letters published as of the time of this publication. The EA has been coordinated with agencies having legislative and administrative responsibilities for environmental protection.

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SECTION 9: ACRONYMS/ABBREVIATIONS

%	Percent
°	Degrees
§	Section
‘	Feet
ac-ft	acre-feet
AQCR	Air Quality Control Region
BMP	Best Management Practice
BP	Before Present
CAP	Climate Action Plan
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
cfs	cubic feet per second
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO2e	CO2-equivalent
CRMP	Cultural Resources Management Plan
CWA	Clean Water Act
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EP	Engineer Pamphlet
ER	Engineer Regulation
ERS	Environmental Radiation Surveillance
ESA	Environmentally Sensitive Area
F	Fahrenheit
FAA	Federal Aviation Administration
FONSI	Finding of No Significant Impact
GHG	Greenhouse Gas
gpm	gallons per minute
HDR	High Density Recreation
HTRW	Hazardous, Toxic, Radioactive Wastes
IFR	Inactive/Future Recreation
IPAC	Information for Planning and Consultation (USFWS)
LMP	Lakeshore Management Plan
LDR	Low Density Recreation
MP	Master Plan
MRML	Multiple Resource Management Lands
msl	mean sea level
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NGVD	National Geodetic Vertical Datum
NHPA	National Historic Preservation Act
NO	Nitrogen Oxide
NRCS	Natural Resources Conservation Service

NRHP	National Register of Historic Places
NRRS	National Recreation Reservation Service
NWI	National Wetlands Inventory (USFWS)
O_3	Ozone
OAQPS	Office of Air Quality Planning and Standards
Pb	Lead
PCB	Polychlorinated Biphenyls
PCPI	Per Capita Personal Incomes
PL	Public Law
$PM_{2.5}$	Particulate Matter Less than 2.5 Microns
PM_{10}	Particulate Matter Less than 10 Microns
PO	Project Operations
RM	River Mile
ROD	Record of Decision
RPEC	Regional Planning and Environmental Center
SGCN	Species of Greatest Conservation Need
SO_2	Sulfur Dioxide
SUPER	USACE Suite of Computer Programs
TCEQ	Texas Commission on Environmental Quality
TCLP	Toxicity Characteristic Leaching Procedure
TDS	Total Dissolved Solids
TPWD	Texas Parks and Wildlife Department
TXNDD	Texas Natural Diversity Database
U.S.	United States
U.S.C.	U.S. Code
USACE	U.S. Army Corps of Engineers
USCG	U.S. Coast Guard
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGCRP	U.S. Global Change Research Group
VOC	Volatile Organic Compounds
WHAP	Wildlife Habitat Appraisal Procedures
WM	Wildlife Management
VM	Vegetation Management
ZOI	Zone of Interest

SECTION 10: LIST OF PREPARERS

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ATTACHMENT A: NEPA COORDINATION AND PUBLIC SCOPING

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