



US Army Corps of Engineers®
Chicago District

**CHICAGO DISTRICT
2017 REGIONAL PERMIT PROGRAM
REVISED JANUARY 10, 2020**

11. MARINE STRUCTURES AND ACTIVITIES

RP11 authorizes the installation, repair and modification of permanent and seasonal piers/docks (non-commercial only), boat ramps, boat hoists and lifts (including roof coverings), navigational and mooring aids, and temporary recreational structures. This RP also authorizes temporary structures or minor discharges of dredged or fill material necessary for the removal of vessels (wrecked, abandoned or disabled) or for the removal of man-made obstructions to navigation and the installation, repair, and modification of shore protection along Lake Michigan.

Certain limitations exist for the use of this RP within the Fox River Chain of Lakes waterway system in accordance with the May 12, 2000 Fox River-Chain O'Lakes Boat Pier and Boat Ramp Application Review Policy (www.lrc.usace.army.mil/Portals/36/docs/regulatory/pdf/pierpolicy.pdf).

Authorization under RP11 is subject to the General Conditions of the Regional Permit Program beginning on page 6 of this document. In addition, the following requirements must be addressed in writing and submitted with the notification:

- a. All projects will be processed under Category I.
- b. Piers/docks must be constructed in accordance with the following conditions and limitations:
 - 1) The pier/dock must not project more than 50 feet into a waterway (up to 100 feet if located in a shallow water area of the Fox Chain-of-Lakes system). The pier/dock must be the minimum length necessary to reach suitable water depth. The pier/dock length must not be greater than one quarter of the width of the waterway and must not extend beyond the navigation limits established by the Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR) and the District.
 - 2) The width of the pier/dock must not be greater than 10 feet.
 - 3) For L-shaped or T-shaped piers/docks, the length of that portion parallel to the shoreline must not exceed 50 percent of the landowner's shoreline frontage, nor 50 feet.
 - 4) Piers/docks must be aligned so as not to cross the projection of property lines into the waterway or come within 10 feet of the projection of the property line. A variance in this distance may be granted where there are natural limiting features or limited shoreline available. Coordination and agreement to the variance with adjacent property owners is required. All variances must be approved by this office on a case by case basis. Note that

the dispute over property ownership will not be a factor in the Corps public interest decision (see 33 CFR 320.4(g)).

- 5) Pier/dock posts must be marked with reflective devices. If the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the U.S. Coast Guard must be installed and maintained by, and at the expense of, the permittee.
 - 6) The pier/dock must be securely anchored to prevent its detachment during times of high water, winds, or ice movement.
 - 7) Boat mooring buoys and pier/dock flotation units must be constructed of materials that are clean and free of pollutants and must not become waterlogged or sink if punctured. Flotation units and devices must be composed of low-density, closed cell, rigid plastic foam. Foam bead flotation will not be allowed unless commercially encapsulated and designed specifically for flotation purposes. Reconditioned plastic drums and metal barrels are allowed if they are first cleaned and filled with flotation foam. Barrel, drums or containers that previously contained pesticide, herbicide or other hazardous substances are not allowed.
 - 8) Non-floating piers/docks must be constructed in a manner which will minimize obstruction to flow.
 - 9) If at any future date the IDNR/OWR or District determines that the pier/dock facility obstructs or impairs navigation, or in any way infringes on the rights or interests of the public or any individual party, the permittee agrees to make necessary modification to the pier/dock, as determined by IDNR/OWR or the District.
- c. Boat ramps must not exceed 60 feet in width and constructed of crushed stone, concrete, gravel or other suitable material. Boat ramps constructed of asphalt are not authorized under this Regional Permit. For projects that permanently impact over 0.10 acres of waters of the U.S., the permittee is required to provide compensatory mitigation.
 - d. For repair and/or modification of a marine structure, provide the date the structure was originally constructed and a copy of the Department of the Army permit for the structure, if one was issued. If the construction of the structure was not authorized by the District, an after-the-fact authorization must be sought.
 - e. Temporary construction activities, including access roads and cofferdams, are not authorized under this Regional Permit.
 - f. The construction of multi-pier/slip and docking facilities and related appurtenances within Section 10 waters are not authorized under the RPP.
 - g. Shore protection in Lake Michigan includes seawalls, revetments, and bulkheads (constructed of wood, concrete, riprap, gabions, steel or fabric-formed concrete) constructed parallel to the shoreline orientation. Shore protection projects must address the following requirements:
 - 1) Submittal of photographs representing the existing site conditions. The District may waive, on a case-by-case basis, the requirement to provide a complete wetland delineation.
 - 2) A detailed narrative defining a clear purpose and need for the proposed work.

- 3) Baseline surveys of the existing shoreline.
- 4) Plan views and cross-sections of all proposed work drawn to detail and provided on 8½” by 11” sheets.
- 5) Ordinary High Water Mark (OHWM) clearly drawn on the plans.
- 6) The amount of fill in cubic yards and acres to be placed below the OHWM.
- 7) Shoreline structures must be designed to withstand the expected wave forces of the lake. Steepening of stone structure faces that include a stone toe design may be allowed on a case-by-case basis.
- 8) Construction sequence describing how access to the site will be accomplished. Water-based access is limited to the use of barges for the transport of heavy equipment and construction materials.
- 9) A contingency plan and narrative for the temporary “dig-in” and displacement of lake substrate for access to the work area by barge is needed. In the event of temporary “dig-in”, notification to this office is required prior to displacement of the substrate.

Shore protection projects on Lake Michigan must not:

- 1) exceed 300 feet in length and 10 feet in width below the OHWM except in those instances where additional materials are required in order to maintain the structural integrity of the proposed design;
- 2) occur within 200 feet of the mouth of any waterway that flows into or out of Lake Michigan;
- 3) be used to reclaim land lost to erosion;
- 4) extend further than existing structures on adjacent land, except in those instances where additional materials are required in order to maintain the structural integrity of the proposed design;
- 5) involve dredging or filling beyond that required to install the shore protection; and
- 6) impede public access to the shoreline.