

Questions/Comments, and Responses are listed in the order recorded at the Public Workshops.

Questions/Comments 1-44 were recorded at the Russell County workshop. Numbers 45-112 were recorded at the Somerset, KY workshop.

NOTE: Several questions relate to items in the draft that were changed in the approved plan. In order to prevent confusion, questions are answered in accordance with the approved plan.

**Shoreline Management Plan Public Workshop
Questions, Comments, and Answers
Russell Springs Meeting, 22 April 2002**

1. How has insurance coverage requirement changed for community docks?

A: Insurance requirements for community docks have not changed since 1977. The minimum amount of liability insurance has been increased to reflect today's insurance standards. The minimum coverage was raised from \$150,000 to \$300,000.

2. Will the square footage of slips on community docks be allowed to increase?

A: Yes. While community docks will not be allowed to add slips, they will be allowed to increase the size of slips to the following maximum size: 10.5 feet wide x 24 feet long for single slips, and 12 feet wide x 24 feet long for multiple slips. Plans for slip enlargements must be submitted to the Resource Manager for approval prior to construction.

3. Can additional community docks be allowed on Lake Cumberland?

A: No. The approved Shoreline Management Plan does not allow new private moorage facilities.

4. Is Lake Cumberland the only Nashville District Lake not allowing additional docks?

A: No. Of the ten lakes in the Nashville District, only five have Shoreline Management Plans. Of these five, Center Hill Lake and Lake Cumberland do not permit any new private dock permits.

5. Why were additional docks stopped on Lake Cumberland?

A: Public interest review indicated strong public support for protecting the lake from increasing private exclusive uses, which can negatively impact the environmental, aesthetic, and recreational values of the lake.

6. Why are community docks preferred over private docks?

A: Before the lake was closed to new docks, community docks were preferred because they reduced the visual and physical impacts of private development along the shoreline by replacing several potential individual docks with one centralized facility. Community docks also served more adjoining property owners than did individual docks. The current plan does not favor community docks over individual docks since each are treated equally.

7. What are the actions taken by the Corps when community docks do not follow Corps rules and regulations?

A: The Community Dock Association is given a specified date to correct the violation. The final result of non-compliance with permit conditions or reoccurring violations may result in revocation of the permit.

8. Where are the approved community dock plans and rules located?

A: Each community dock maintains its own records. The Corps maintains copies in the Associations' permit file located at the Resource Manager's Office.

9. Does the public have access to the community dock plans and rules?

A: Approved Community dock plans and information such as permit conditions and bylaws are open to the public. However, names and addresses of community dock members will not be released.

10. Are there plans for future expansion at Jamestown Marina?

A: There have not been any plans for expansion submitted to the Corps recently. Commercial Marinas are allowed to

expand per approval of plans, as long as the proposed expansion is within their existing lease area. Requested expansions outside the lease area would require an environmental review and modification of the commercial lease.

11. Does the Corps conduct environmental assessments on commercial marina expansions?

A: Refer to #10. Environmental Assessments are completed every five years regardless of expansion.

12. In the future, will public meetings be held for the purpose of examining proposed commercial marina expansions?

A: Minor expansions will not involve public input. Each marina expansion request is reviewed under applicable federal requirements and policies. If significant factors of the public interest are involved, public meetings or hearings may be held to assist in the decision-making process and to meet statutory requirements.

13. When is the last time the Corps performed an environmental assessment or the like on a commercial marina expansion?

A: An environmental review was performed for the Conley Bottom lease expansion request in 2002. Each time a commercial marina expansion is proposed, an environmental evaluation is conducted. Sometimes, this may be in the form of an informal determination of no affect, and for others a formal assessment and/or supplement to the Master Plan may be required. This is determined by the situation and the potential impacts.

14. Will a carrying capacity study stop future expansions by commercial marinas?

A: Carrying capacity studies have proven to be useful in making a wide range of management decisions. The Natural Resource Management staff at Lake Cumberland has expressed an interest in conducting a carrying capacity study, but funding has not been available. Speculation on the impacts of a carrying capacity study on commercial marina expansion would be premature.

15. Will a carrying capacity study increase future expansions by commercial marinas?

A: Refer to #14.

16. COMMENT: Continuous increases in commercial marinas may lead to navigation hazards.

A: Marina areas are naturally some of the most congested areas on the lake. Safety is our number one concern with all management decisions and is considered with marina expansion proposals.

17. Within the 2002 SMP, community docks might be allowed to increase the square footage of a slip. Why are single-owner private docks not being considered for a possible increase in size?

A: This item was changed due to comments received during the public workshops and 30 day written comment period. Individual docks will be allowed to increase their size to a maximum of 400 sq. ft. provided that the enlargement does not encroach upon an adjacent dock. All docks must be located at least fifty feet away from any other dock. Plans for dock enlargements must be submitted to the Resource Manager for approval prior to construction.

18. How can one tell where buoy locations (no-wake, no-ski) are, or should be on the lake?

A: The Corps does not maintain a map of buoy locations. Several commercial fishing maps and Kentucky Department of Fish and Wildlife Resources (KDFWR) access maps show some, but not all, buoy locations. Buoyed areas are normally clearly marked and easy to interpret. If there is a question of interpreting whether an area is restricted to activities such as skiing or wake, individuals may contact the Resource Manager's Office or the KDFWR. The Corps and the KDFWR coordinate the placement of all buoys and their subsequent enforcement.

19. Is there a standard distance from dock facilities to buoy locations?

A: No. Placement of buoys has been based upon site-specific data such as visibility, boating traffic trends, and the width of the body of water where the dock is located.

20. How can personal watercraft enter "no-ski" buoyed areas when a boat pulling a skier cannot enter that same area?

A: A personal watercraft is considered to be a vessel and the same rules and regulations are applicable. PWCs may not tow skiers, tubes, etc. in a no ski zone.

21. An adjacent landowner has a dock that I have paid renewal fees and maintained for years. Now the current

owner is getting old and in a nursing home. How can I get this dock in my name without losing the dock upon the owner's death?

A: Individual docks are permitted to the designated property that the permittee owns. How the permittee obtained funds to renew the permit and perform maintenance of the facility is not relevant to ownership. In order to get the permit, the designated property would have to be owned by the applicant.

22. Who owns a dock if the owner and his/her spouse passes away?

A: The dock permit is assigned to the estate of the deceased individual(s). The property, and therefore the dock, is subject to Kentucky estate laws. New owners must apply for the new permit through the Resource Manager's Office. Also Refer to #21.

23. Can groups or extended families own a single dock or community dock slip?

A: For individual docks the only way this can occur is if all parties own the private property that the dock is permitted to.

For community docks, slips are not owned by individual members. Slips within community docks are owned by the non-profit association. For individuals to have the right to use a community dock slip, they must be a member of the Community Dock Association.

24. Are additional docks open for discussion at this meeting?

A: These public meetings are designed to seek public input and involvement for any major update to the plan. In addition to public comments, other factors are considered in making changes to the plan.

25. Will additional docks ever be allowed on Lake Cumberland?

A: Addressing "ever" would only be speculation. The "draft" plan and the approved plan prohibit additional private docks on Lake Cumberland. SMPs are required to be reviewed at five-year intervals.

26. Are additional docks being considered for inclusion into the 2002 plan?

A: All aspects of the Shoreline Management Plan are open for consideration during the public review process.

However, the "Draft" Shoreline Management Plan presented at the 2002 Workshops proposed to continue a prohibition of future private moorage facilities.

27. Can community docks have more slips? Why?

A: No. Slips may be enlarged, if approved, but additional slips will not be allowed. The approved SMP prohibits additional private docks. It would not be appropriate to allow existing community docks to add slips while keeping the other areas of the lake closed to new facilities. Also refer to #5.

28. By allowing commercial marinas to constantly continue to expand and not allowing any additional private docks on the lake, will Lake Cumberland eventually become too commercialized?

A: It is our goal to keep Lake Cumberland open for all members of the public to enjoy for years to come. While marinas are commercial operations, they offer a variety of services to the general public such as gas and merchandise sales, moorage space, boat rentals, and mechanical services. Also refer to #14 and #16.

29. Why does the Corps consistently show favoritism toward commercial docks?

A: As explained in #28, commercial marinas serve the needs of the public, especially on a lake the size of Cumberland. There are currently 11 such marinas on this 50,000-acre lake. From a SMP point of view, the significant difference between commercial marinas and private docks is that private docks are private exclusive use (only available to owners or members), whereas commercial marinas are open to serve the general public.

30. How much money do commercial marinas pay the Corps for use of the lake? How is this money distributed? Is there pressure from the counties to show favoritism toward commercial marinas?

A: Commercial marinas pay approximately 2-4%, on a graduated scale, of gross income. 75% of the rent paid to the Corps goes to the state for distribution to the counties from which the income was derived. The Corps has not received pressure from counties to show any favoritism to the marinas.

31. If one owns contiguous lands to the Corps, why can't he/she obtain a hotel/resort commercial lease?

A: Owning land adjacent to public property does not infer any special rights to use public lands for commercial purposes.

32. Would the Corps consider a limited commercial lease for a hotel/resort? If not, why?

A: No. Current policies for Real Estate leases on Lake Cumberland prohibit leases to be awarded on a non-competitive basis. Also refer to #31.

33. Do area ramps meet Americans with Disabilities Act requirements? If not, why?

A: Most ramps were built prior to ADA, and the steep terrain of Lake Cumberland often makes ADA improvements cost prohibitive. Corps operated facilities have made great strides in recent years toward ADA compliance, but all areas do not currently meet recommended guidelines.

34. Who approves the final 2002 Shoreline Management Plan?

A: The plan is approved by the District Engineer, and is sent to the Lakes and Rivers Division Commander for signature and approval of the final document.

35. Would a write-in campaign assist the public in re-opening the lake for additional private docks?

A: We definitely consider the public's desires related to Shoreline Management and a write-in campaign would be part of the public input considered. However the process is not merely a vote. Other factors such as environmental, aesthetic and economic impact along with Corps regulations and policies are considered. There is a 30-day written comment period immediately following the public workshops. This comment period is open to all members of the public.

36. Do local residents have more rights to utilize the lake than non-locals?

A: No. Since the lake was built and is managed with federal funds, the lake is open to all members of the public regardless of the location of their residence.

37. COMMENT: A public meeting should be held on a weekend, preferably on a Saturday morning.

A: We have attempted to be flexible with the scheduling of public meetings so that they are available to a wide audience. We have always held the meetings on more than one evening for those who had scheduling conflicts. The draft plan was posted on the Internet, and hard copies were

available from our office. Comments were also accepted during the 30-day written comment period for those who were unable to attend these meetings.

38. Why must one own adjacent real estate property to be eligible to own a dock?

A: In most cases individuals who do not own adjacent property would not have access to the government property without crossing private property. Members within a community dock are not required to own property contiguous to Corps property; they simply must live within the area designated as served by the community dock. One of the requirements of Community Dock Associations is that they designate a public thoroughfare for access to the facility.

39. Is ownership of adjacent land required, or does access to the shoreline count?

A: Ownership is required.

40. Can anyone attend a community dock meeting?

A: Each individual Community Dock Association would make this type of determination based on **its** by-laws. The Corps does not regulate this.

41. How does an applicant find out when he/she becomes eligible for a community slip if he/she cannot attend community dock meetings?

A: The Association By-Laws should address the criteria for slip assignment or re-assignment. These by-laws should also discuss notification of eligible applicants. By-laws are available for review at the Resource Manager's Office. Also refer to #9.

42. Have any additional docks been placed on Lake Cumberland since the 1994 plan was enacted?

A: No.

43. Request to the group from a participant: How many people in the room want a dock or slip, raise your hand? 12 of 21 raised their hand. This was not compared to how many already had a dock.

44. COMMENT: Some docks in Greasy Creek are not safe.

A: The docks on Greasy Creek were inspected shortly after the public workshops and no safety hazards were noted. We would like to have more information on possible safety concerns. If a member of the public observes a hazardous or

questionable structure on Lake Cumberland, we urge those individuals to notify the Resource Manager's Office immediately so that an inspection can be made.

**Shoreline Management Plan Public Workshop
Questions, Comments, and Answers
Somerset Meeting, 23 April 2002.**

45. What in addition to present programs can be done to clean trash and debris from Lake Cumberland?

A: Existing programs such as the Friends of Lake Cumberland (FOLC) annual clean up and Adopt-A-Shoreline have removed thousands of bags of trash from the lake and public property in the past 13 years. The public can improve the effectiveness of these programs by providing support in volunteer time and donations to FOLC. Education and proper disposal of waste in the upstream areas is the key to the long-term reduction of trash on Lake Cumberland.

46. How can we control the vegetative debris (logs) on the lake?

A: With a drainage area of 5879 square miles and the large lake elevation changes each year, it is impossible to control the amount of logs and other vegetative debris that reach the lake. The Lake Cumberland Debris Management System (commonly called the trash rack), located upstream of Cumberland Falls, collects some logs and trash before they enter the lake. Its impact is limited due to the large volume of debris that flows down the Cumberland River.

47. Where does all the trash and debris on the lake come from?

A: Woody debris originate from the banks of the rivers, creeks, and the lake when trees die from natural aging, erosion and logging. The trees are deposited into the lake when rising water levels float them from the bank. The majority of the man-made trash enters by the same method from roadsides, dumps, and recreational activities. Trash and debris enters from all the creeks, but the majority flows into the lake from the Cumberland River.

48. COMMENT: If the public assists the Corps by picking up trash, then the Corps should assist us by allowing certain privileges.

A: Lake Cumberland is a public lake that belongs to all members of the public. The Corps of Engineers is the federal agency that built and manages the lake with public tax funds. The majority of individuals who volunteer to participate in picking up trash do so because they take pride in maintaining the beauty of their lake, not to gain special consideration toward private exclusive privileges.

49. Why can't access steps be easier to obtain for dock owners?

A: Access steps are licensed to dock owners only when it is determined that steps are necessary to provide safe access. Dock owners may contact the Resource Manager's Office to get a Ranger to visit the area and evaluate the need for steps.

50. Can we have access steps?

A: Refer to #49.

51. How does the Americans with Disabilities Act (ADA) apply to dock access?

A: When constructing new facilities ADA states that reasonable accommodation should be provided. This applies to access for public facilities such as commercial marinas. Private moorage facilities are for the use of owners and are not open to the public. Therefore, private docks are not subject to ADA.

52. What can be done about dead trees located on public property?

A: Property owners with standing damaged or dead trees that they consider to be a danger to a residence or structure should contact the Resource Manager's Office for an appointment for an on site evaluation with a Ranger. If the tree(s) is determined to pose a hazard, a Specified Acts Permit may be issued to allow its removal.

53. Under what circumstances can trees be cut on public property?

A: Refer to #52.

54. Can dead trees located far from private property be cut so our paths will not be blocked when the tree falls?

A: Refer to #52. Each situation must be evaluated on its own merits and will require an on site visit. Contact the Resource Manger's Office for a Ranger visit.

55. Can additional private docks be allowed on Lake Cumberland if the Corps is assured docks will be maintained?

A: No. While the maintenance of some existing docks is a problem, it is not the reason for prohibiting additional private docks.

56. Can we have additional docks?

A: Refer to #5, #24, #25, #26, and #55.

57. Comment: Owners of non-maintained private docks should be fined or have to remove their dock.

A: Under current policy, non-maintained private docks are given a deadline to correct the infraction, or remove the facility from public property. Failure to do so may result in a citation before the U.S. Magistrate, and/or revocation of their Shoreline Use Permit.

58. COMMENT: If dock owners do not abide by the regulations, their permits should be cancelled.

A: Refer to #57.

59. Can the public remove trash from the shoreline without special permission?

A: Yes.

60. Are existing private docks required to meet 2002 Shoreline Management Plan specifications?

A: Yes.

Comment: We appreciate what the Corps is doing for the lake.

61. How can the Corps keep a landowner with a community dock slip from selling the slip with the house?

A: The approved Shoreline Management Plan includes changes from the proposed draft that provide community dock associations with increased flexibility to assign slips according to property ownership. Community dock associations may chose to reassign slips based upon sale of residential property. Community dock members must coordinate the sale of residential property and potential slip reassignment with the community dock association to insure that (a) the association's current by-laws allow for such a reassignment, or (b) the by-laws have been amended to allow this type of reassignment.

Bylaws may not circumvent basic parameters of the Shoreline Management Plan such as: (1) The non-profit association

owns the slips within a community dock, not the individual members, and (2) Individual slips may not be rented, leased, licensed, or sold, nor may any other commercial activity be associated with the operation of the facility.

The community dock association may determine additional eligibility requirements for membership and use of the community dock. Since the number of residents may exceed the number of slips available, association by-laws must clearly state the criteria for dock usage and turnover. These criteria shall prohibit discrimination and any form of commercial activities.

62. Why don't community dock slips go with specific lots/homes when the homes sell?

A: Refer to #61.

63. How can some community dock slips be deeded to a specific house?

A: Deeding a community dock slip to a residence or tract of land violates the Shoreline Management Plan, since all community dock slips are owned by the Community Dock Association.

64. Why can't docks be tied to trees?

A: Abrasions caused by rope and cables often girdle and eventually kill the tree.

65. Can lakefront property landowners have a dock?

A: Only if they currently own property that has a grandfathered permit, or purchase property that has an existing grandfathered dock permit.

66. Can we have a dock under the 2002 SMP?

A: The 2002 SMP prohibits the placement of additional docks on Lake Cumberland. Also refer to #65.

67. Why can't we relocate docks from one site to another as long as the dock remains adjacent to our own private property?

A: When new individual docks were being issued on Lake Cumberland, an applicant had to own adjacent property in a Limited Development Area. Their property also had to have access to the shoreline without steps. These Limited Development Areas were converted to Protected Shoreline Areas on January 11, 1995. All permits for docks on Lake Cumberland are now covered under a grandfather clause since

Limited Development Areas no longer exist. These docks were permitted to their original location and are not allowed to be moved adjacent to other properties.

68. Can a percentage of Lake Cumberland be opened for private docks?

A: Refer to #66.

69. Can we enlarge private docks to accommodate larger boats?

A: Yes. Individual docks will be allowed to increase their size to a maximum of 400 sq. ft. provided that the enlargement does not encroach upon an adjacent dock. All docks must be located at least fifty feet away from any other dock. Plans for dock enlargements must be submitted to the Resource Manager for approval prior to construction.

Community docks will not be allowed to add slips, but they will be allowed to increase the size of slips to the following maximum size: 10.5 feet wide x 24 feet long for single slips, and 12 feet wide x 24 feet long for multiple slips. The Resource Manager must approve all slip enlargements prior to construction.

70. Can private docks be enlarged for stability and to accommodate larger boats?

A: Yes. Refer to #69.

71. Can we enlarge community dock slips?

A: Yes. Refer to #69.

72. Can access roads be upgraded?

A: Access roads that offer launching capability into Lake Cumberland may be upgraded by the responsible outgrantee with prior approval. The majority of these sites are outgranted to the State of Kentucky or to the County in which the access road is located. Private roads are not permitted on public land.

73. How do private docks and public docks differ?

A: The main difference between commercial marinas and private docks is that private docks are for private exclusive use (available only to **its** owner or association members), whereas commercial marinas are open to serve all members of the public.

74. COMMENT: Lake Cumberland should be opened for additional docks.

A: Lake Cumberland was changed to Protected Shoreline status in order to protect the lake from increasing private exclusive uses, which take away from the environmental, aesthetic, and recreational values of the lake.

75. Why can't the Corps open the lake for additional docks?

A: Refer to #74.

76. COMMENT: The Corps should consider additional docks.

A: Refer to #74.

77. COMMENT: It appears the Corps is trying to shut the lake down from having docks.

A: Refer to #74.

78. Is it the intent of the project to get out of the private dock business?

A: It is our intent to do what is best for the long-range utilization of Lake Cumberland, while taking into consideration that the lake is for the use of all members of the public not just those who wish to have private moorage. The approved Shoreline Management Plan does prohibit additional private docks.

79. COMMENT: Ramps are becoming increasingly crowded.

A: Refer to #80

80. Why can't we (the public) have more docks and access points?

A: Docks: Refer to #74.

Access Points: Three new launching ramps have been constructed on Lake Cumberland by counties in the past 7 years. The Kentucky Dept. of Fish and Wildlife Resources currently has an application pending for construction of a new ramp. In 2001, the Corps conducted public workshops to gather input on the maintenance and overall condition of existing launching ramps. The product of this effort was a Supplement to the Lake Cumberland Master Plan, which studied each site and made recommendations for safety, increased parking, and overall improvements. Counties or the state may apply for permission to construct new ramps in accordance with the Master Plan Supplement. This Supplement is available through the Resource Manager's Office.

81. Will the Corps consider allowing underbrushing on public property?

A: No. The only authorized underbrushing that still occurs on Lake Cumberland is being performed by individuals who have a grandfathered Shoreline Use Permit for Landscaping. Once the permittee and their spouse no longer own the property, the permit becomes void and the public land must be allowed to return to a natural state.

82. Why can't landscaping permits be re-issued to new owners?

A: This policy has been in effect since the lake was closed to new landscaping permits in 1973. The grandfather clause only allows landscaping permits to be renewed to the existing permittee and their spouse. Landscaping permits are no longer issued on Lake Cumberland in order to protect the lake from increasing private exclusive uses, which can negatively impact the environmental, aesthetic, and recreational values of the lake.

83. Why can't adjacent landowners have a view of the lake?

A: Adjacent landowners may not have a view of the lake if it requires the destruction of trees and/or underbrushing. The Corps of Engineers Rules and Regulations (Title 36, Chapter III, Part 327.14 of the Code of Federal Regulations) states: "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 of the District Commander."

84. Can we (adjacent landowners) have a view of the lake?

A: Refer to #83.

85. COMMENT: I do not want to see additional landscaping permits issued.

86. Can straight-pipe (loud) boats be stopped from using the lake?

A: There are regulations prohibiting the operation of any vessel or watercraft without a proper and effective exhaust muffler as defined by state and local laws, or with an exhaust muffler cutout open, or in any other manner, which renders the exhaust muffler ineffective in muffling the

sound of engine exhaust. The Kentucky Department of Fish and Wildlife Resources has primary responsibility for enforcement of boating laws.

COMMENT: Thank you all (Corps) for protecting Lake Cumberland.

87. Can excessive boat speeds be controlled on the lake?

A: The only speed-controlled areas on Lake Cumberland are those buoyed as No Wake Zones. Each boat operator is responsible for their wake as well as the safe operation of their vessel as related to other lake users.

88. Are Corps and State officials still allowing sewage to be dumped into the lake?

A: The dumping of raw sewage into Lake Cumberland is prohibited. The Kentucky Department of Fish and Wildlife Resources classified Lake Cumberland as a Discharge Lake meaning that boats with approved Marine Sanitation Devices are authorized to release treated effluent. Numerous municipalities and a few private developments surrounding Lake Cumberland also release treated effluent, provided that they have a National Pollution Discharge Elimination System (NPDES) permit from the State of Kentucky.

89. What is the status of the ramp at Slate Branch?

A: The application has been submitted and is being processed by the Corps at this time.

90. When will we learn of the decision of the Slate Branch ramp?

A: Once a decision has been made on the application, a news article will be prepared for the local newspapers. The timeframe for this cannot be determined at this time.

91. How many community docks and slips, and private docks are there on Lake Cumberland?

A: Total private docks: 328 (299 individual & 29 community)
The number of community dock slips vary depending on the size of the original community dock and how many slips they were permitted to add prior to January 11, 1995. There are approximately 595 slips at community docks.

92. How many private docks are on the lake at present?

A: Refer to #91.

93. How many private dock permits have been cancelled in the last 5 or so years?

A: 2

94. Can cancelled permits be re-issued to other adjacent landowners around the lake?

A: No. There are no longer any areas on Lake Cumberland classified as Limited Development.

95. COMMENT: The Friends of Lake Cumberland and the Corps are doing a great job with clean up efforts on the lake.

96. If the March comments were to lean toward additional docks, how would that effect the outcome of the 2002 SMP?

A: We definitely consider the public's desires related to Shoreline Management, but the process is not merely a vote. Other factors such as environmental, aesthetic, and economic impact along with Corps regulations and policies are considered.

97. How many people here want additional docks? 48 of 85 persons raised their hands.

98. COMMENT: I would like to see more community docks on the lake.

99. COMMENT: I have no problem with additional docks on Lake Cumberland. I can appreciate what the Corps is doing on Lake Cumberland.

100. Can we underbrush public property adjacent to our homes to keep animals away?

A: No. Refer to #81 and #82. The public lands and waters that make up the Lake Cumberland Project are managed for wildlife habitat as well as numerous other purposes. Questions concerning wild animals that become a nuisance to adjacent property owners should be referred to the Kentucky Department of Fish and Wildlife Resources.

101. COMMENT: Commercial marinas continue to expand whenever the owners want.

A: Each commercial marina has a specified boundary referred to as a lease area, which all structures must stay within. Expansions of these lease areas require an environmental review along with modification of the commercial lease agreement. Requests for expansions within the existing lease area are evaluated by the Natural Resources Management staff prior to approval. Not all requests for expansions are approved.

102. COMMENT: Boat sizes are becoming too large for the lake.

A: Boat sizes would be difficult to regulate due to the large number of houseboats currently on Lake Cumberland.

103. When will we hear the results from this meeting?

A: The SMP was approved by the Lakes and Rivers Division Commander on January 6, 2003 and posted on the Lake Cumberland web page on January 27, 2003.

104. Will the Corps stop personal watercraft from utilizing Lake Cumberland as the National Park Service has on their lakes and rivers?

A: There are no plans to do so.

105. Who is in charge of notifying the public of upcoming public meetings?

A: The Lake Cumberland Resource Manager's Office notifies the public about the Shoreline Management Plan meetings.

106. How is the public notified of upcoming public meetings?

A: Notification of public meetings for the Shoreline Management Plan is handled in several ways. Public notices are distributed to regional media for publication and announcement. Holders of permits, licenses, and outgrants are notified by letter. Individuals who have contacted the Resource Manager's Office and asked to be notified of meetings are added to a mailing list and also notified by letter. Written notification is also sent to Congressional representatives, local governments, and agencies that have an interest in Lake Cumberland.

107. How much impact do our comments have on this SMP?

A: As stated in #52, public input is a significant part of the evaluation process but not the only issue. The approved Shoreline Management Plan reflects changes that were recommended by the Lake Cumberland staff due to public input. Examples include allowing individual and community docks to enlarge slips in order to accommodate larger boats, and increased flexibility for community docks to assign slips. We recognize that regulations, policies, public desires, and recreation trends are constantly changing and this is why the Shoreline Management Plan is reviewed at 5-year intervals.

108. What were the comments from the Russell Springs public meeting?

A: The Russell Springs' comments and questions are listed in questions 1 - 44 of this document.

109. Who does not want community docks?

A: The public review of the 1994 Plan (that occurred in January 2002) showed that the majority of individuals commenting agreed with the basic concepts of no longer allowing additional private exclusive uses on Lake Cumberland. Therefore, the "Draft" Shoreline Management Plan presented at the 2002 Workshops proposed to continue this policy. The public workshop forum is intended to hear all aspects of the public's comments on the most recent Shoreline Management Plan.

110. What is the elevation of the public property boundary line around the lake?

A: There is no set elevation of the boundary for public property. The general elevation requirement for property purchased for the Lake Cumberland project was Elevation 765' MSL (Mean Sea Level). This 765' elevation assured that adjacent private property would not flood during high lake levels. The boundary line is not established at the same elevation throughout the lake. Additional lands were purchased to establish marinas, recreation areas, and wildlife habitat. Other lands above 765 were purchased due to loss of access or because owners wanted to sell their entire property due to the impact of losing a portion of it.

111. COMMENT: It seems to me that the public is concerned that their dock permit will be cancelled if they disagree with Corps on certain issues.

A: No docks have been removed due to disagreement with the Corps. A permit would only be revoked if the permit holder refuses to comply with permit conditions or the Shoreline Management Plan.

112. COMMENT: I would like to thank the Corps for having public meetings concerning this issue.