

A scenic landscape of Utah Lake. The foreground shows a grassy field with a small body of water. The middle ground features the calm blue waters of the lake. In the background, there are large, rugged mountains with patches of snow under a bright blue sky with scattered white clouds. The text is overlaid on the center of the image.

Utah Lake Boat Dock Amendment

Utah Division of Forestry, Fire and
State Lands

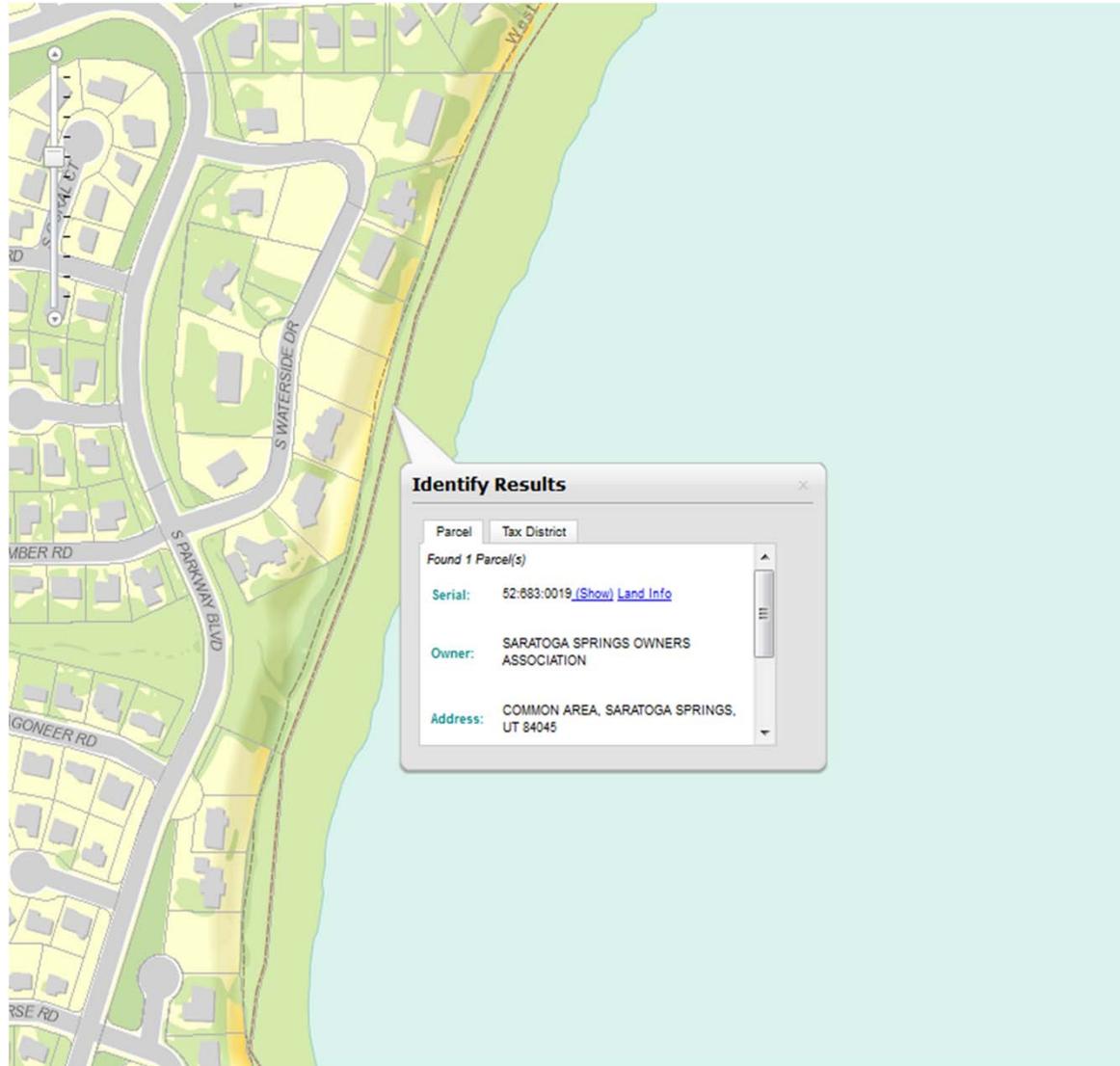
Purpose of the Amendment

- June 2011, FFSL received an application from an adjacent, upland landowner for the installation of a private, non-commercial boat dock on sovereign lands of Utah Lake. This was the first official application for a private boat dock on Utah Lake received by FFSL since the adoption of the Utah Lake Master Plan (ULMP).
- FFSL consulted the ULMP for guidance concerning the permitting of privately owned docks, piers and similar structures. The ULMP lacked detailed analysis and direction concerning the permitting and use of such structures on Utah Lake.
- FFSL determined that an amendment to the ULMP was required. It is intended to provide policy guidance to FFSL and the Utah Lake Commission regarding the placement and use of private boat dock structures on sovereign lands of Utah Lake.
- Provides the reasoning behind the selection of the preferred permitting strategy as well as the specific requirements and stipulations that FFSL will utilize to implement the selected permitting strategy.

Statutory Authority and Plan Amendment Process

- R652-90-1000, FFSL has the authority to amend existing comprehensive management plans.
- The ULMP also allows for amendment. Specifically, Section 6.0 of the ULMP states that it is a “living document that can be modified and updated as conditions (and goals of the Commission) change.”

Upland, Adjacent Landowner



Analysis

- Utah Lake currently has no authorized private boat docks associated with an upland, adjacent property owner. Until recently, there has been little to no demand for such structures due to the absence of shoreline development for residential purposes.
- There were many factors considered in the development of the analysis and the ultimate selection of a permitting strategy. First and foremost is the Public Trust Doctrine.
- Another important consideration was public sentiment towards private boat docks on Utah Lake.
- Subject matter experts within the Utah Lake Commission Technical Advisory Committee (TAC) as well as government agencies with regulatory authority at Utah Lake were also consulted during the development of the alternatives analysis.
- FFSL consulted representatives of the sovereign land programs in Nevada, Idaho and Arizona to determine their management strategies concerning private boat docks on their sovereign land units.
- The Division's experience in regulating boat docks on other sovereign land units was instrumental in the development of criteria and alternatives. Private boat docks are currently permitted by FFSL on Utah's portion of Bear Lake.

Criteria Selected for Analysis

- Navigation and public safety
- Shoreline habitat and vegetation
- Water quality
- Public access
- Wildlife and endangered/threatened species
- Threat of aquatic invasive species
- Cultural resources
- Administrative and financial burden
- Capacity to address future demand
- Adjacent Landowner Costs and Ease of Accessibility

Alternatives Considered

1. Private Boat Docks



2. Community Boat Docks



3. Managed Mooring Field



4. State/Local Government Marina



Private Boat Docks

- FFSL would permit private boat dock structures on Utah Lake for each residential property owner successfully completing an application and providing sufficient evidence of ownership of adjacent, upland property.
- FFSL would allow the installation of portable/floating or fixed boat dock structures on sovereign lands at Utah Lake provided that the landowner meet basic spacing requirements from adjacent property lines (and inferred littoral lines), place the dock at a right angle to the shoreline and satisfy DSPRR requirements for marking and lighting (if applicable).
- No restrictions on size, design, appearance or material type of dock structure nor would it cap the number of docks allowed in a given area.

Community Boat Docks

- A community boat dock is a temporary, non-commercial structure that provides moorage facilities for more than two residential landowners or for a homeowners' association with adjacent, upland property.
- Under this alternative, a group consisting of two or more upland, residential landowners could form a "dock association" and submit an application for a community dock to FFSL.
- Members of a community dock association would not need to be immediate neighbors to one another. However, each member of the association would need to verify ownership of adjacent, upland property.
- In addition, a homeowners' association could also submit an application for a community dock provided the association demonstrates ownership of adjacent, upland property.
- Docks would have an operable window of April 30th through October 1st of each year.
- A cap on the number of total docks allowed in a given area would be required and stipulations regarding design, size, and material type of each dock structure would be enforced.

Managed Mooring Field

- FFSL would not allow private boat docks or similar structures on Utah Lake under this alternative. Instead, FFSL would work with an interested local government or private entity willing to develop a managed mooring field (MMF).
- An MMF is a mooring field that is enhanced by the addition of facilities to accommodate waste disposal from bilge pumps and other trash and is regulated by a designated harbormaster.
- No fueling stations would be allowed on any MMF on Utah Lake.
- The placement of the mooring field would be subject to land use classifications identified in the ULMP and a minimum number of landowners would need to participate in order for the mooring field to receive authorization from FFSL.

State/Local Government Marina

- FFSL would not allow private boat docks or similar structures on Utah Lake under this alternative. Instead, FFSL would partner with local government entities through existing FFSL leasing mechanisms to construct and operate additional public marinas on Utah Lake.
- Marinas would be located where FFSL, local governments and other stakeholders have identified a need for additional access based on public feedback, field observations/data, and Commission input.
- FFSL would coordinate with the local government entity and the Commission to find funding sources for the construction of the marina. This alternative assumes that FFSL would provide some level of financial support subject to legislative approval for the construction of the marina but not for ongoing operation and maintenance.
- The operation and maintenance of the marina would be the responsibility of the local government entity with logistical support from FFSL and other state agencies.

Alternatives Analysis

		ALTERNATIVES			
		Alternative 1: Private Boat Docks	Alternative 2: Community Boat Docks	Alternative 3: Managed Mooring Field	Alternative 4: Public Marina
CRITERIA	Navigation/Public Safety	1	3	1	3
	Shoreline Habitat/Vegetation	1	3	3	1
	Water Quality	2	3	3	1
	Public Access	1	3	1	4
	Wildlife/T&E	1	3	3	2
	Cultural Resources	2	3	3	1
	Aquatic Invasive Species	1	1	2	3
	Administrative/Financial Burden	1	2	2	2
	Capacity for Future Demand	2	4	3	1
	Landowner Costs	1	2	2	3
	Landowner Access	4	4	3	2
	TOTAL SCORE:	17	31	26	23

Rating System:

For Capacity to Address Future Demand:

High Capacity = 4
 Medium Capacity = 3
 Low Capacity = 2
 No Capacity = 1

For Landowner Costs:

No Costs = 4
 Low Costs = 3
 Medium Costs = 2
 High Costs = 1

For Landowner Accessibility:

Above Average Accessibility = 4
 Average Accessibility = 3
 Low Accessibility = 2
 No Accessibility = 1

For All Other Impacts:

Negligible/Positive Impacts = 4
 Minor Impacts = 3
 Moderate Impacts = 2
 Major Impacts = 1

Preferred Permitting Strategy

- Community Boat Docks is the preferred permitting strategy. The community boat dock approach scores well in almost every category except for administrative burden, adjacent landowner costs and threat for aquatic invasive species introduction.
- As for adjacent landowner costs, the costs are considered high because of the potential expenses required to construct and install the community boat dock. However, as mentioned previously, these costs are shared among landowners resulting in lower costs than if the landowner constructed their own dock.
- The community boat dock scenario does incur risks associated with introduction of invasive species but these risk are inherent in boating and recreational uses and can be minimized through public education campaigns.
- The community boat dock approach is desirable because it has a high capacity for meeting future demand for private access, affords an above average level of accessibility for adjacent landowners, and has relatively minor impacts to cultural and natural resources when compared to the other alternatives.
- The community boat dock strategy is viewed by FFSL as a balance between affording adjacent private landowners direct access to the water and minimizing adverse impacts to the shoreline habitat as well as natural and cultural resources.
- FFSL believes that this permitting strategy is consistent with rule, statute, the ULMP and the mandate to manage sovereign lands under multiple-use, sustained-yield principals.

Community Boat Docks

- **Definition of Community Boat Dock**
- A community boat dock is a private, temporary, non-commercial structure that provides moorage facilities for pleasure/recreational watercraft for more than two (2) adjacent, riparian/littoral property owners, or for a homeowners' association that is an adjacent, riparian/littoral property owner. The imposition of a fee for the maintenance or use of a community boat dock by owner-members or members of a homeowners' association served by a community boat dock will not result in the boat dock being characterized as a "commercial" entity.

Who May Apply?

- Upland adjacent property owners or homeowners' association
- Single landowner with 2,000 or more feet of linear shoreline
- Applications will be considered for landowners with extenuating circumstances
- Community boat dock association agreement must be submitted with application

Siting Considerations

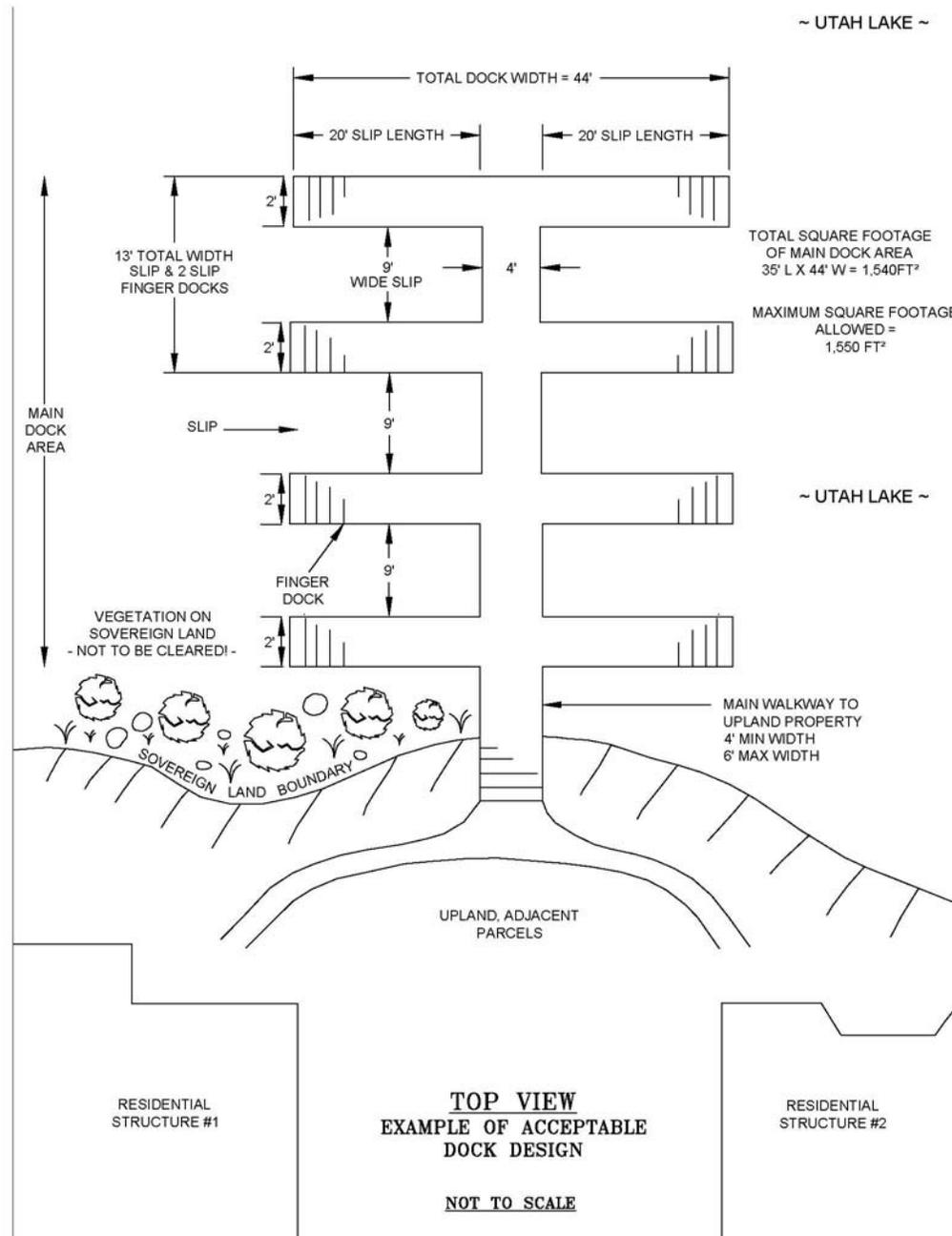
- Class 2 and 3 areas (Provo Bay excluded)
- Sovereign lands boundary must be adjudicated
- Four boat dock structures per 1,000 linear feet of shoreline
- Case-by-case consideration
- Wetland disturbance verification/mitigation from USACE

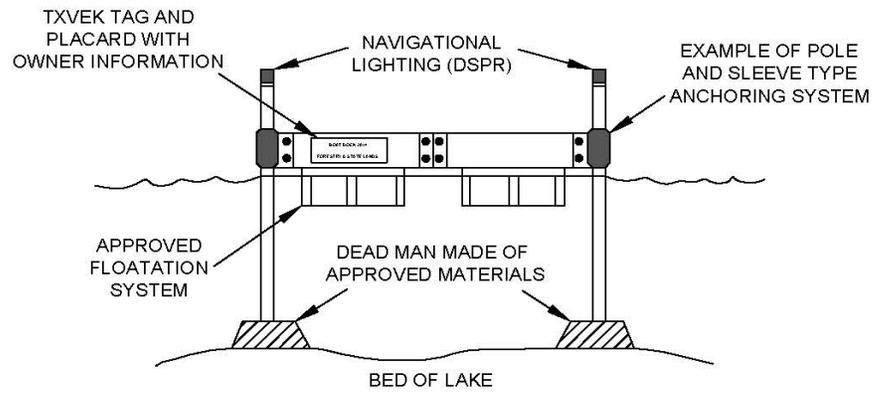
Permitted Structures

- Temporary structures will be allowed.
 - From April 30 – October 1 of each year
- Docks launched from existing approved boat ramp
- Not mechanized or wheeled equipment including tractors or four wheelers will be permitted on sovereign lands
- Approved construction materials

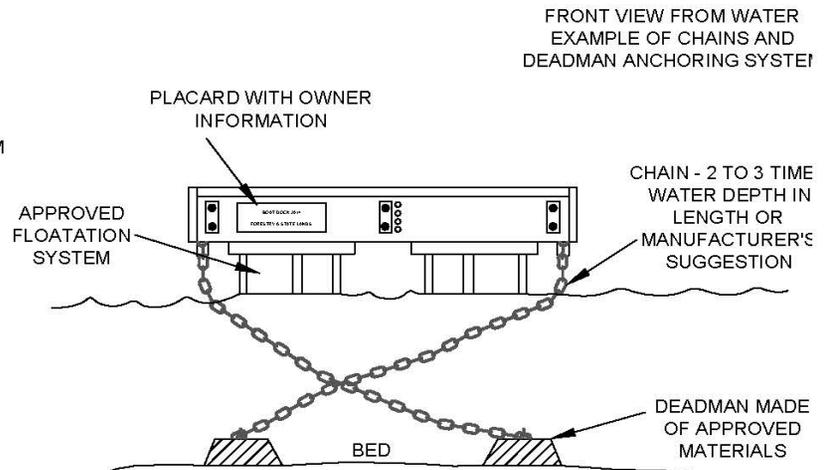
Design, Size and Spacing

- Maximum square footage – 1,550
- One walkway with a width of 3 – 5 feet
- Total width cannot exceed 50 feet
- Dock length limited to the minimum needed to reach a sufficient water depth
- Length cannot impede safe navigation
- No dredging or removal of sand, gravel or mud
- Construction of jetties, breakwaters or concrete ramps are prohibited
- Does not include permission for buoy placement
- One slip per landowner
- Docks are to be located no closer than 50 feet from adjacent dock or buoy
- Cannot impede passage on sovereign lands
- Installation of additional lighting, power or water prohibited
- Boat lifts are prohibited
- Decontamination required
- Quiet hours 10 p.m. to 6 a.m.
- No camping or living on boats

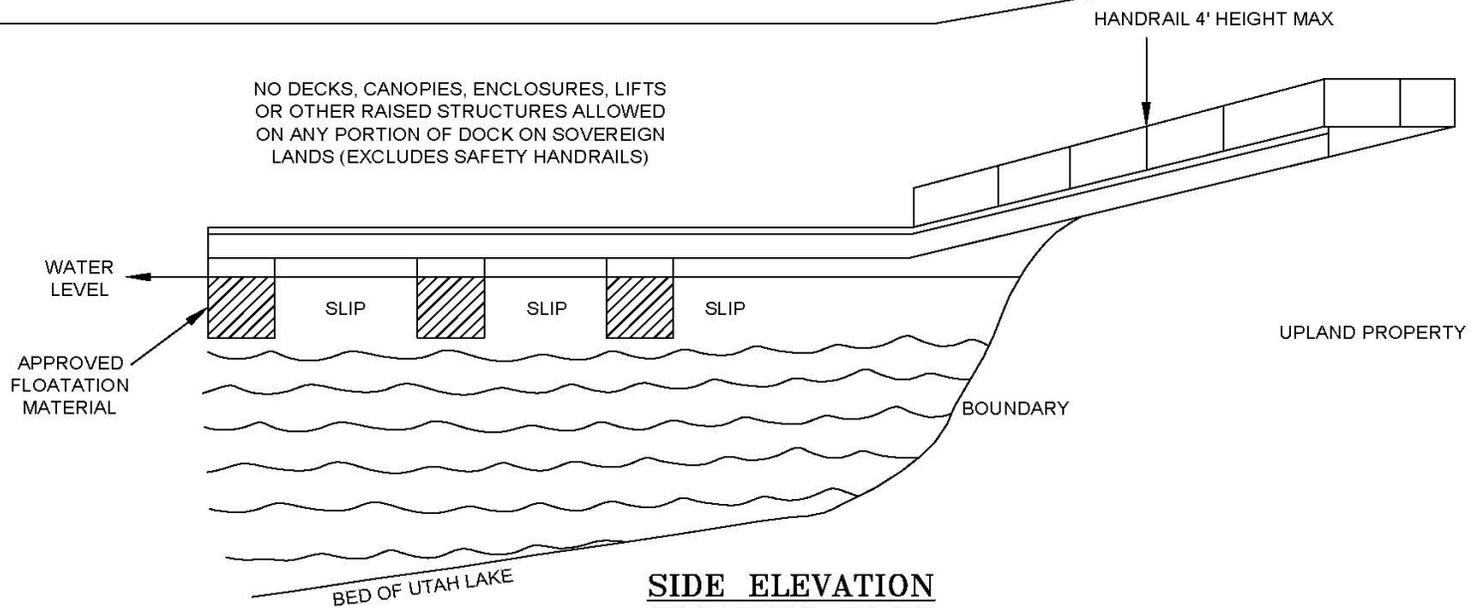




FRONT VIEW FROM WATER



NO DECKS, CANOPIES, ENCLOSURES, LIFTS OR OTHER RAISED STRUCTURES ALLOWED ON ANY PORTION OF DOCK ON SOVEREIGN LANDS (EXCLUDES SAFETY HANDRAILS)



**SIDE ELEVATION
FLOATING DOCK
NOT TO SCALE**

CMP Amendment Process – Final Steps

- Technical Committee Presentation – August 25
- Governing Board Meeting – September 25
- Public comment period (45 days) –October 1st – November 14th
 - <http://bitly.com/ulcmpamend>
- Public meetings – October 9 and 14
- Final Revisions – November
- Final Amendment and Record of Decision - December

Questions?

