



**DEPARTMENT OF THE ARMY**  
FORT WORTH DISTRICT, CORPS OF ENGINEERS  
Belton & Stillhouse Hollow Lake Office  
3740 FM 1670, Belton, Texas 76513

REPLY TO  
ATTENTION OF:  
Belton/Stillhouse Lake Office

July 29, 2015

## TEMPORARY CONSENT FOR MOORING

Mr. Smith  
1234 Main Street  
Belton, TX

The applicant, \_\_\_\_\_, has applied for and met the terms and conditions required by the US Army Corps of Engineers (USACE) for a temporary consent to mooring number \_\_\_\_\_ in Cedar Creek Cove area as shown on the attached Exhibit A.

This consent is subject to the following terms and conditions. A failure to meet these terms or conditions will result in the revocation of this consent, and the Permittee shall have ten (10) days after written notification to remove the facility from USACE lands and waters. Unauthorized personal property upon project lands will be deemed abandoned and is subject to impoundment and impoundment fees by the District Engineer pursuant to Title 36 CFR 327.15

By signing below, the applicant acknowledges that unauthorized floating structures are prohibited pursuant to 36 CFR 327.20. Applicant acknowledges that they have received, read, and understand EP 1165-2-316, the Rules and Regulations Governing Public Use of Corps of Engineers Water Resources Development Projects.

### TERMS AND CONDITIONS

**TERMS:** The term of this consent is six (6) months. This is a temporary consent granted solely as an accommodation to applicant to relocate or dismantle their boathouse/barge/vessel (facility). Renewal requests will be accompanied by a detailed description of the reason for the request for additional time along with an attested statement that "I, (applicant), understand that this consent is temporary and I have represented to the USACE that I intend to relocate my facility and will, in fact, relocate my facility. I understand that a failure to comply with the following conditions will result in the revocation of this consent and that will mean my personal property will be subject to impoundment and that I may be subject to citation pursuant to 36 CFR 327. "

- 1) USACE shall assign each permittee a location to temporarily moor. This mooring area is for storage of facility. Permittee is not authorized to re-locate or move facility unless approved by the USACE.
- 2) If your facility does not meet the state, federal, or county requirements (Exhibit B), you will have time during this temporary mooring period to perform the maintenance to be in compliance before being transferred.
- 3) Upon the new marina lease area being ready and willing to accept the permittee's facility, the

facility shall be re-located to the marina lease area within seven (7) days.

4) All moored facilities shall be properly illuminated according to the Texas Parks and Wildlife Department. A white 360 degree light may need to be operational from sunset to sunrise.

5) Permittee shall be responsible for providing anchorage. The anchor shall consist of a concrete block with approximate weight of 4000 lbs, minimum 9/16 inch diameter steel cable, thirteen (13) feet of chain and some miscellaneous hardware (Exhibit C).

6) The use of the property shall be subject to the rules and regulations of the District Engineer, Title 36 CFR, Chapter III, Part 327, and ER 1130-2-406.

7) The permittee is responsible for taking all necessary precautions to provide for the health and safety requirements of members, workers and guests. The permittee shall maintain the premises in good order and condition. No hazardous materials shall be stored on the permitted facility.

8) All permit applications and correspondence must be submitted for approval through the Belton and Stillhouse Lakes Office, 3740 FM 1670, Belton, Texas 76513, prior to any activities. Any improvement so authorized shall be removed upon termination of this permit and premises restored to good order and condition.

9) This permit does not provide exclusive use of any land or water area. The USACE shoreline and waters must remain open for public use at all times.

10) At any time, USACE has the Right of Entry to the private moored facility for compliance issues and has the right to move or adjust its location.

11) If your permitted facility breaks loose from the mooring point, it is your responsibility to contact USACE, retrieve and properly re-anchor it to its proper location within seven (7) days. Failure to do so shall result in fines or impoundment fees. USACE shall not be held liable for any damage to your facility or damages caused by your facility.

12) The applicant agrees that the USACE is not responsible for personal injury to the applicant, guests, contractors or any other person as a result of the applicant's placement of a facility upon project waters. The applicant assumes all risk associated with this activity and agrees to indemnify and hold harmless the United States from any claims of whatever nature that may arise from the applicant's use of the facility.

13) No residential use. No habitation is allowed. Recreation or overnight stays shall not be allowed at mooring area. Permittee shall be allowed to conduct regular maintenance.

14) No re-assignment of this consent is permitted. No for hire or renting of the facility is permitted.

15) No shore electrical or sewer connections are authorized. No sewage discharges are allowed. If an approved marine sanitation device is on board, it must be in working order and the permittee is responsible for safe and proper disposal of waste.

16) The facility shall maintain an adequate number of coast guard approved PFDs.

17) The facility shall have at least one marine fire extinguisher located in readily accessible areas or as many extinguishers as are required by Texas Parks and Wildlife Department.

18) All LPG or other cooking gas systems must be properly vented and have appropriate solenoid cut off mechanisms. System should functionally comply with ABYC Standard A-1 "Marine Liquefied Petroleum Gas (LPG) Systems."

19) The applicant shall, at all times, prominently display the USACE facility Permit Number placard on the anchored side of the facility for easy identification.

If agreeable to accepting this permit under these conditions, it is requested that you promptly sign and return to our office. The office phone number is 254-939-2461.

Sincerely,

Ronald L. Bruggman  
Lake Manager

The above permission is hereby accepted under the conditions therein stated.

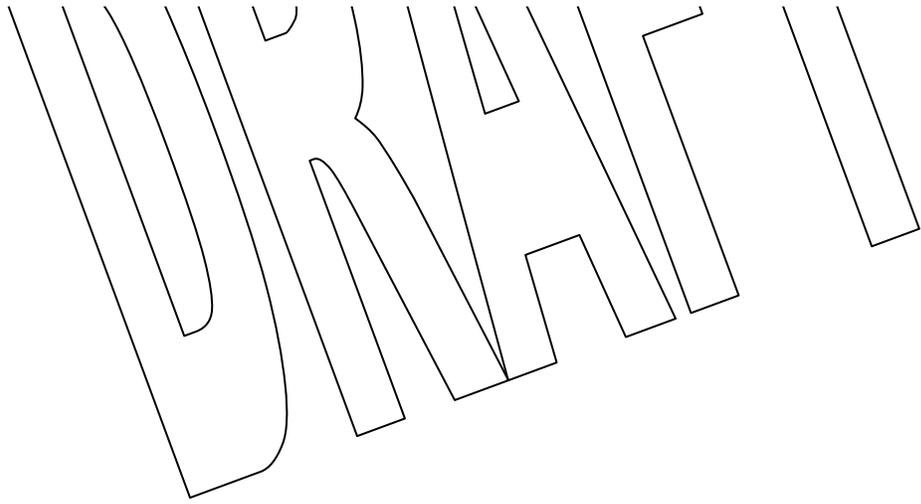
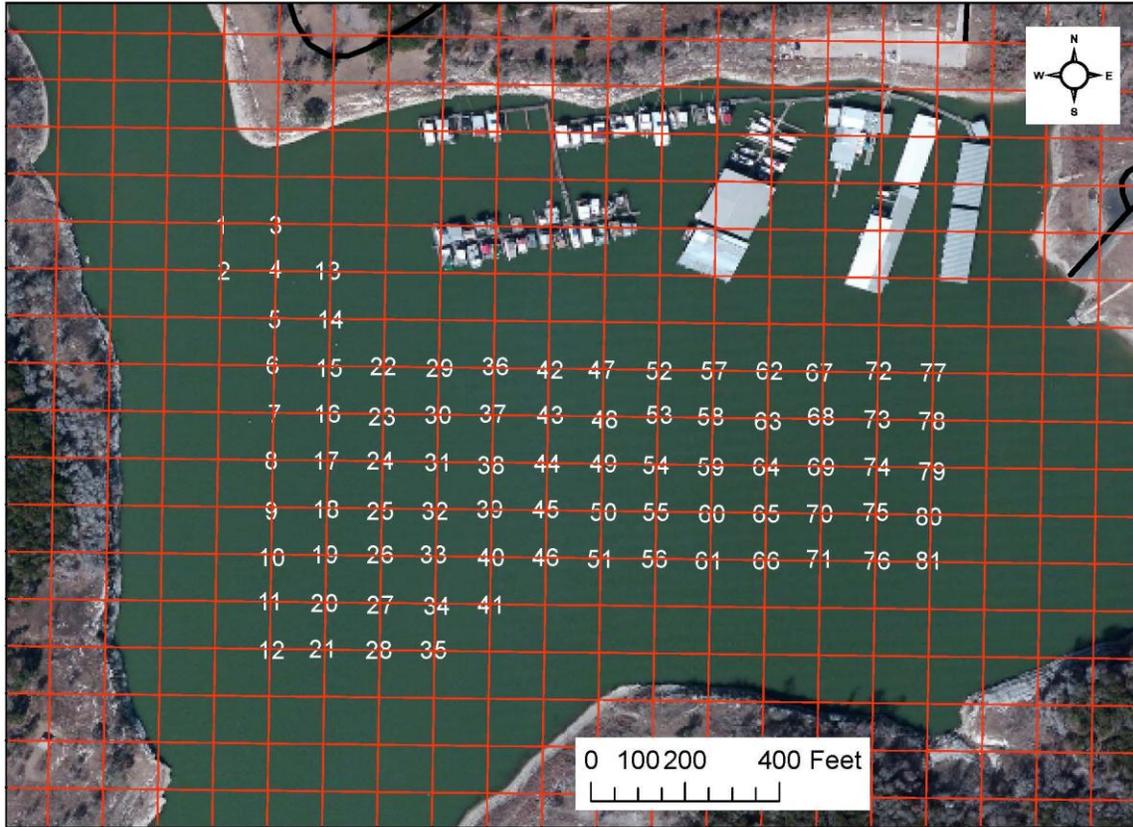
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Date

Signature

Printed Name

# Exhibit A



## EXHIBIT B

Texas Commission Environmental Quality  
Bell County, Texas  
Texas Parks and Wildlife Department  
US Army Corps of Engineers  
Title 36 CFR, Chapter III, Part 327, and ER 1130-2-406.

### Flotation:

As of October 1, 2004, encased flotation is required for all replacement and/or new floating facility construction. Installation of non-encased flotation is prohibited. All non-encased flotation currently in use shall be replaced within 12 months. Owners shall submit plans for the timely phasing out of all non-encased flotation within 12 months.

- a. A marine float (flotation) shall be comprised of flotation material and an encasement around the flotation material. The flotation material may be air, expanded polystyrene, extruded polystyrene or polyurethane. The encasement may be concrete, plastic, steel, aluminum, polyethylene or fiberglass.
- b. Flotation shall provide a minimum freeboard of nine inches under dead load, plus a 40 pounds per square foot (psf) uniform live load. Docks are to float level under all conditions.
- c. Floats and the flotation material for all docks and boat mooring shall be fabricated of materials manufactured for marine use. The float and its flotation material shall be 100% warranted by the manufacturer 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 within 40 feet of a line carrying fuel shall be 100% impervious to water and fuel. The use of plastic or metal drums or non-compartmentalized air containers for encasement or floats is prohibited.
- d. Flotation shall be kept free from vegetation at all times.
- e. Flotation shall be securely fastened to the facility using galvanized steel straps, treated wood dowels, galvanized bolts, or other corrosion-resistant means as approved by the USACE.

### Electrical:

- 1) The design, installation, and maintenance of all electrical systems and their parts shall meet the requirements of this directive as well as all local and state codes, and the National Electrical Code – NFPA 70. Boats/barges shall also be in compliance with the Fire Protection Standard for Marinas and Boatyards – NFPA 303. Electrical systems must be designed by a Registered Professional Electrical Engineer or a licensed Master Electrician and installed by qualified electrical technicians.
- 2) All conductors shall be sized to prevent a voltage drop not to exceed 5 percent. Due to the long circuit lengths, feeder conductor sizes found in ampacity tables of Article 310 of the NEC may be inadequate to maintain the voltage in paragraph 2 above and Fine Print Note to Section 210-19 of the NEC. Underground installation with service along walkways with flexible portable cable (type W) to floating structures is encouraged.
- 3) Feeder conductors must be designed and installed in accordance with NFPA 303, Section 3-12.5, for Marinas and NFPA 70, Article 555 for Recreational Vehicle Parks.

- 4) Overhead cables, if approved, shall be designed and installed in accordance with ER 1110-2-4401, Clearance for Electric Power Supply Lines and Communication Lines Over Reservoirs, dated 30 May 1997. The service shall be a multi-conductor neoprene jacketed cable carried on a messenger wire or a messenger-type feeder cable. Minimum voltage rating of the service cable shall be 500 volts. The conductors shall be sized to prevent sag, prevent strain on the insulated conductors and maintain the required clearance over land and water.
- 5) Overhead secondary distribution lines service floating facilities, to include boat docks, piers, etc., shall be installed parallel to and over the edge of walkways in accordance with NFPA 70 and ER 1110-2-4401. A service disconnect switch for de-energizing these lines shall be provided and installed adjacent to (within 50 feet), but not on or in the floating structure (NFPA 70, Article 555-10). The responsibility for de-energizing service lines prior to inundation of electrical equipment and/or when the reference flood pool elevation is reached shall rest with the lessee. The facility panel board shall be centrally and conspicuously located on the facility and shall be in a rainproof enclosure.
- 6) Grounding of marina electrical equipment shall be in accordance with Article 555-7 and Chapter 250 of the NFPA 70.
- 7) Annually the lessee will provide a certification that all electrical installations on the premises have been inspected by a qualified individual and comply with the applicable codes. This certification shall be provided by a licensed Master Electrician or Registered Professional Electrical Engineer who has inspected all equipment and facilities to ascertain that all electrical work conforms to the requirements of the NFPA 70 and NFPA 303 by certificate of inspection, signed by the electrician or engineer making the inspection. All hazardous wiring or other electrical apparatus which is an immediate threat to the safety of the public shall be immediately de-energized and remain so until repairs are completed.
- 8) In conjunction with approval of major alteration or renovation of existing structures or systems, the owner will be required to upgrade the electrical system servicing the entire structure or system to meet the requirements of the current NFPA 70 and NFPA 303, as required, at the time the alterations are to be made.
- 9) The entire facility must meet all requirements of the NFPA 70 and/or NFPA 303 current at the time the instrument will be executed.

#### **Fire Protection:**

- 1) Portable fire extinguishers and/or equipment shall be provided, inspected, and maintained in accordance with NFPA 303 section 4-3, and NFPA 10.
  - a. Fire extinguishers shall be approved by a nationally recognized laboratory and labeled to identify the listing and labeling organization and the fire test and performance standard that the extinguisher meets or exceeds.
  - b. Fire extinguishers shall be marked with their letter (class of fire) and numeric (relative extinguishing effectiveness) classification.
  - c. Fire extinguishers shall be in a fully charged and operable condition and shall be suitably placed, distinctly marked, and readily accessible.
  - d. Fire extinguishers using carbon tetrachloride or chlorobromomethane extinguishing agents, or soldered or riveted shell self generating foam or gas cartridge water-type extinguishers, which are operated by inverting the extinguisher to rupture or initiate an uncontrollable pressure-generating chemical reacting to expel the agent, are prohibited.
- 2) "NO SMOKING OR OPEN FLAME" signs shall be posted conspicuously at flammable storage tanks, refueling dispensers, battery storage areas, gasoline storage areas, and any other areas where flammable, combustible, or oxidizing materials are stored.

**Battery Storage Areas:**

Rooms in which batteries are charged or stored shall be a separate room or a completely closed area in accordance with NFPA 303 section 6-11. The room shall be used for no other purpose; materials not required for battery storage or charging shall not be placed or stored therein. All metal parts in the battery room shall be of corrosion-resistant material or suitably protected from corrosion.

**Housekeeping:**

All facilities shall be maintained in a safe, functional condition which does not present health or safety hazards to the public. Excess materials (building materials, docks, flotation, etc.) beyond that deemed necessary for reasonable maintenance of existing facilities shall not be stored within the area. Any such material allowed on-site must be stored in an approved storage area.

**Sewage:**

All sewage systems shall meet state, county and local environmental requirements. These sewage systems may be required to be inspected at anytime. Some of these systems shall be inspected annually. When stored, holding tanks shall be cleaned, dried and drained. All plumbing to the black water/sewage holding tanks shall be removed.

**Vessels:**

Vessels must meet USACE 36 CFR 327.3, Texas Parks and Wildlife Department and US Coast Guard rules, regulations and policy.

# EXHIBIT C

## RECOMMENDATIONS FOR A MOORING ANCHOR

1. Furnish all labor, tools, equipment, and materials (as noted) to install a mooring anchor in accordance with the following specifications and attached drawing.

2. The permittee shall provide all three-eighths (3/8) inch, nine-sixteenths (9/16") inch galvanized, improved plow grade steel cable, concrete anchor, elector-galvanized, proof coil chain, and all hardware needed to attach the separate components as shown on attached drawings.

**NOTE: The anchor location shall be designated by Government personnel either by marker buoys on the water, GIS/GPS or by accompanying the permittee during installation operations.**

3. The permittee shall measure and cut the proper length of wire rope to match the water depth (approx. 40') for each installation, the length will include ten (10) feet of slack cable for possible flooding.

4. Each anchor installation shall include thirteen feet (13') of three-eighths (3/8) inch, elector-galvanized, proof coil chain. Three (3) feet of chain will be attached to the buoy, and ten (10) feet to the anchor to allow for rises in the water level (see below drawing)

5. The anchors shall be concrete blocks weighing approximately four thousand (4000) pounds.

6. The buoys, chain, wire rope, and anchors shall all be attached with the hardware components and in sequence as shown on the attached drawing.

7. The permittee shall determine the actual method and location to attach the anchoring chain to the structural member of the facility. The anchoring chain shall be placed in the center of the narrow side of the facility.

8. All placement of anchoring shall be performed according to a schedule as approved by USACE. An adjustment to schedule must be provided in writing and approved forty-eight (48) hours in advance.

**9. Safety Requirements:** The permittee or contractor shall maintain all equipment and perform this job task in full compliance with U.S. Coast Guard and Texas Parks and Wildlife boating safety requirements, rules and regulations. A safety plan shall be designed specifically for the installations of buoys and will be implemented to maximize full compliance with the contract documents including, but not limited to Corp of Engineers Safety Manual EM385-1-1, Federal Occupational Safety and Health Act standards, and all commonly accepted safety practices in the construction industry.

<http://www.usace.army.mil/inet/usace-docs/eng-manuals/em385-1-1/toc.htm>

