



NORTH  
TEXAS  
MUNICIPAL  
WATER  
DISTRICT

Regional Service Through Unity... Meeting our Region's Needs Today and Tomorrow



# BOIS D'ARC LAKE SHORELINE MANAGEMENT PLAN WORK SESSION

July 23, 2020



## TODAY'S MEETING

- **Preparation for Board Presentation/Board Actions**
  - Carrying Capacity
  - Shoreline Classifications
  - Dock Criteria
  - Agreements/Fines/Fees
  - Appeal Process
- **SMP Governance and Board Resolution**
- **Next Steps**



## CARRYING CAPACITY

### Bois d'Arc Lake Carrying Capacity



WALROS class	Range of boating coefficients (acres per boat)	
	Low end	High end
Urban	1	10
Suburban	10	20
Rural developed	20	50
Rural natural	50	110 (¼ sq mi)
Semiprimitive	110	480 (¾ sq mi)
Primitive	480	3,200 (5 sq mi)

**Proposed Density of 35 acres per boat is consistent with Comprehensive Plan**



## CARRYING CAPACITY

### Opportunity Use Rate



Boat Ramp Car/Trailer  
Spaces 1:1



Marina Slips 4:1



Private/Community Docks  
10:1

Bois d' Arc Lake Carrying  
Capacity – 300 boats

- 150 currently planned car/trailer spaces at public boat ramps
- Leaves 150 opportunities split for other uses

*Board Action: Approve a Carrying Capacity of 300 Boats at One Time*



## SHORELINE CLASSIFICATIONS AND SUITABILITY

### Shoreline Classifications

Classification	Description
<b>Restricted</b>	NTMWD Operations
<b>Environmentally Sensitive</b>	Protected Areas (Littoral wetlands)
<b>Limited Development</b>	Includes lands too shallow for boat access
<b>Dock Capable</b>	Depths suitable for dock placement; Does not guarantee a dock
<b>Public Access/ Commercial</b>	Public boat ramps and marinas with buffer; Areas with potential for future marina development



# SHORELINE CLASSIFICATIONS AND SUITABILITY

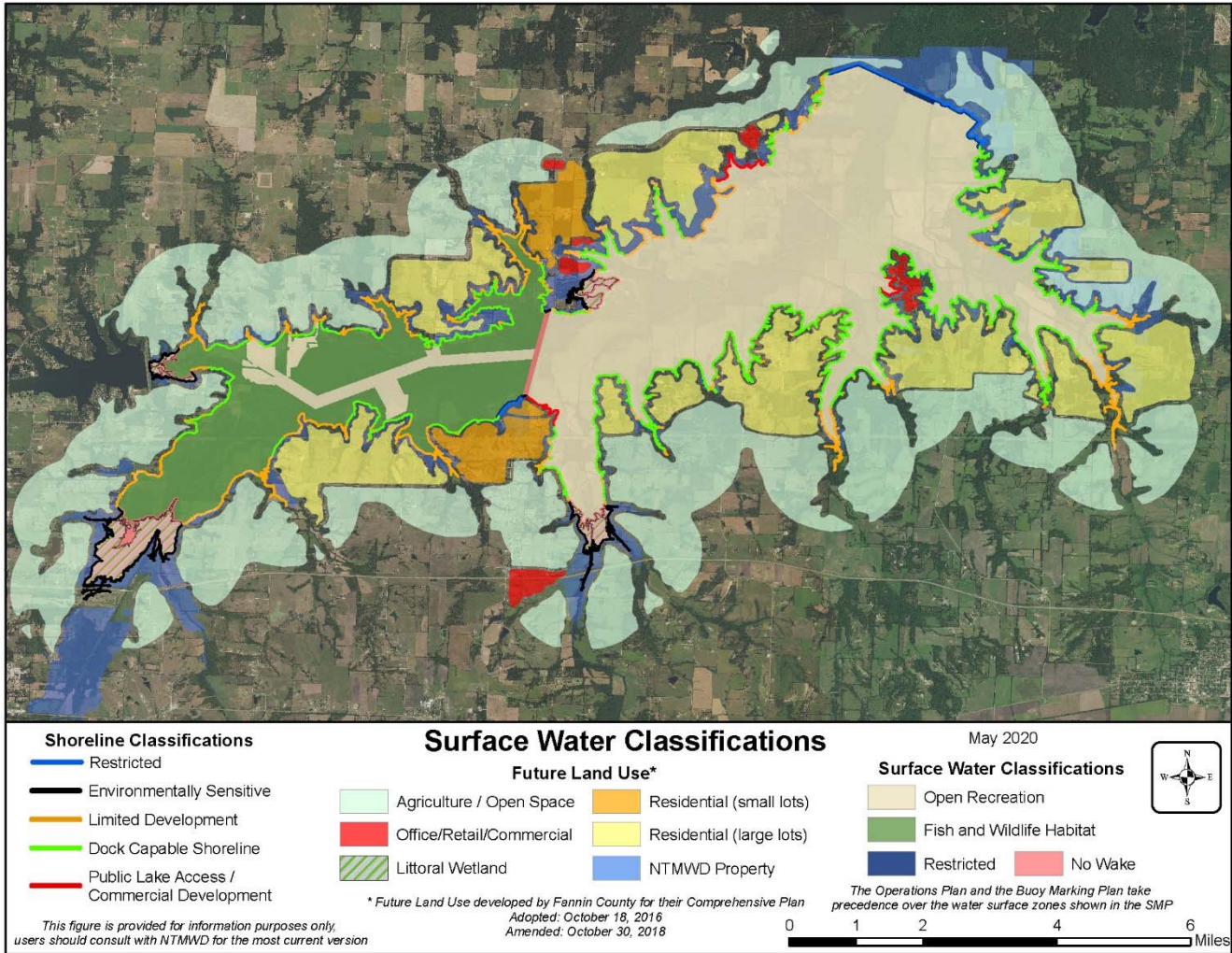
## Shoreline Classifications

Shoreline Classification	Shoreline Length (Miles)	Percent of Total Shoreline
Restricted	3.7	2%
Environmentally Sensitive	30.2	18%
Limited Development	64.9	38%
Dock Capable	69.1	40%
Public Access/Commercial Development	4.1	2%
Bridge	0.2	Less than 1%
Lake Total	172 Miles	100%

*Board Action: Adopt Shoreline Classifications*



# SHORELINE CLASSIFICATIONS AND SUITABILITY

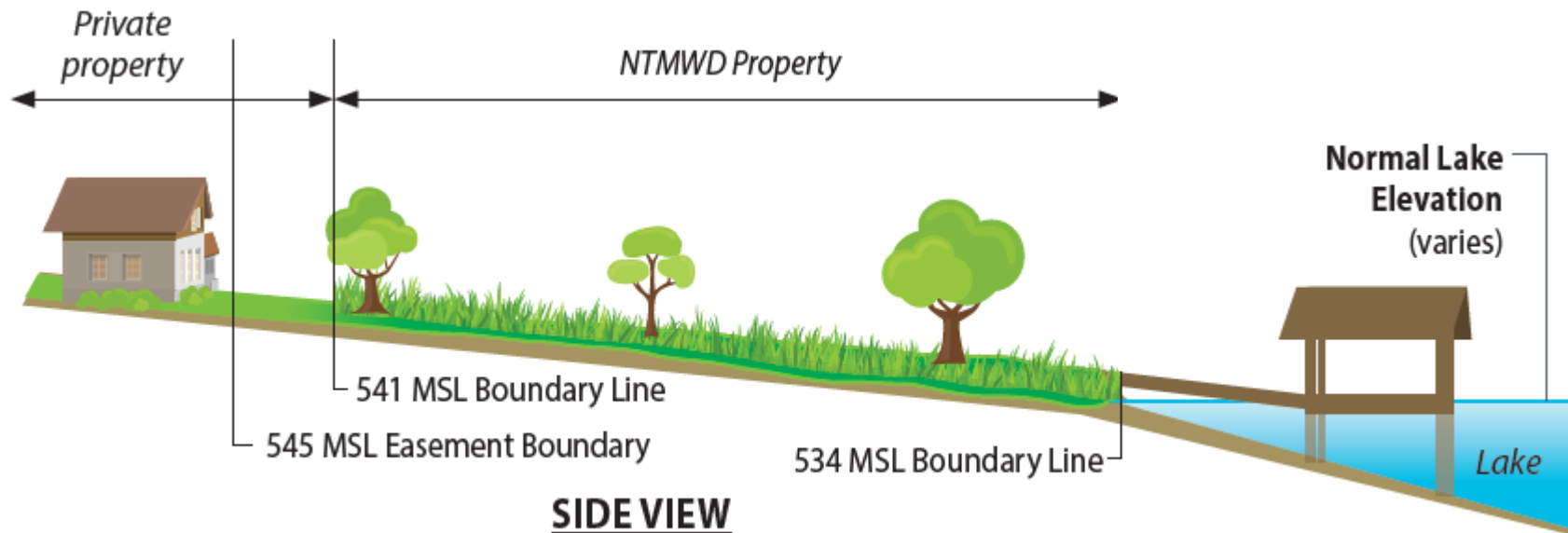


**Board Action: Adopt Shoreline and Water Surface Classification Maps**



## SHORELINE USE

### Shoreline Example



- 541 MSL contour corresponds to 100-year flood
- 545 MSL contour corresponds to 500-year flood

**MSL = Mean Sea Level**





## AGREEMENT TYPES

### 1. Shoreline Lease and Use Agreement

- Limited to adjacent private property owners
- Authorizes boat docks, fishing piers, vegetative modification, etc.

### 2. Special Event/Temporary Use Agreement

- 25+ people or vessels involved in an event
- Examples of special events include fishing tournaments, boat races, 4th of July fireworks/celebrations

### 3. Natural Resources Management Notification

- Hazard Tree Removal, planting, restoring native vegetation, invasive/noxious weed removal and control

### 4. Mobility Assistance Vehicle Authorization

Marinas and other commercial activities will be **considered individually** through unique commercial agreements

*Board Action: Confirm Agreement Types in SMP*



## AGREEMENTS

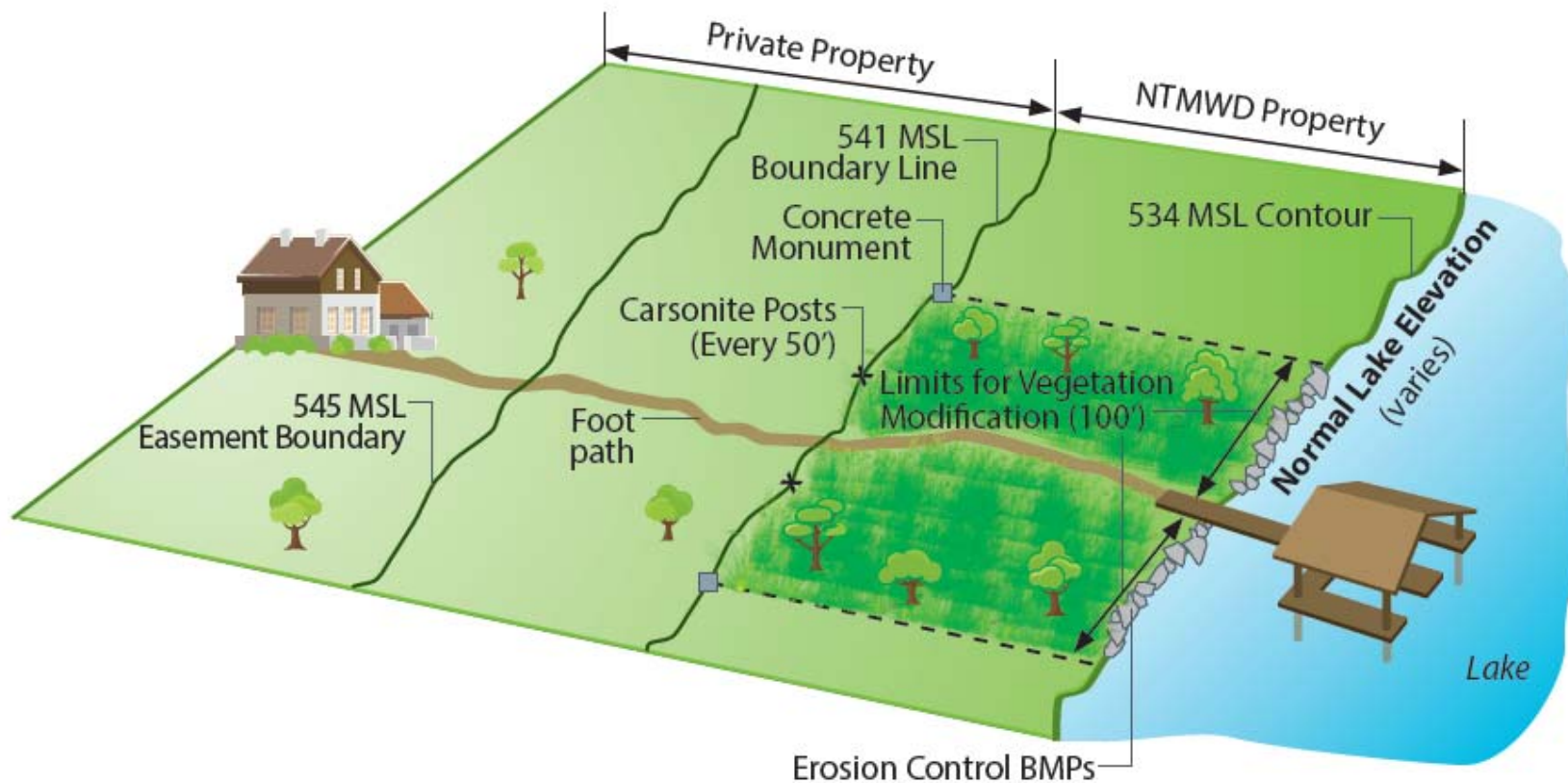
### Shoreline Lease and Use

- **Requires Boundary Marking**
  - Surveyor installed – 100 feet from improvement
- **Includes:**
  - Boat docks
  - Fixed fishing piers or overwater patios
  - Vegetation Modification
  - Access Paths
  - Land-based facilities:
    - BBQ pits, picnic tables, decks, patios, pergolas, gazebos



## SHORELINE USE

### Shoreline Example



*Board Action: Confirm Shoreline Use Activities and Facilities in SMP*



## DOCK CRITERIA

### Dock Types



Fixed Dock

Usable Elevation: 534-532 MSL



Floating Pole Dock

Usable Elevation: 534-528 MSL

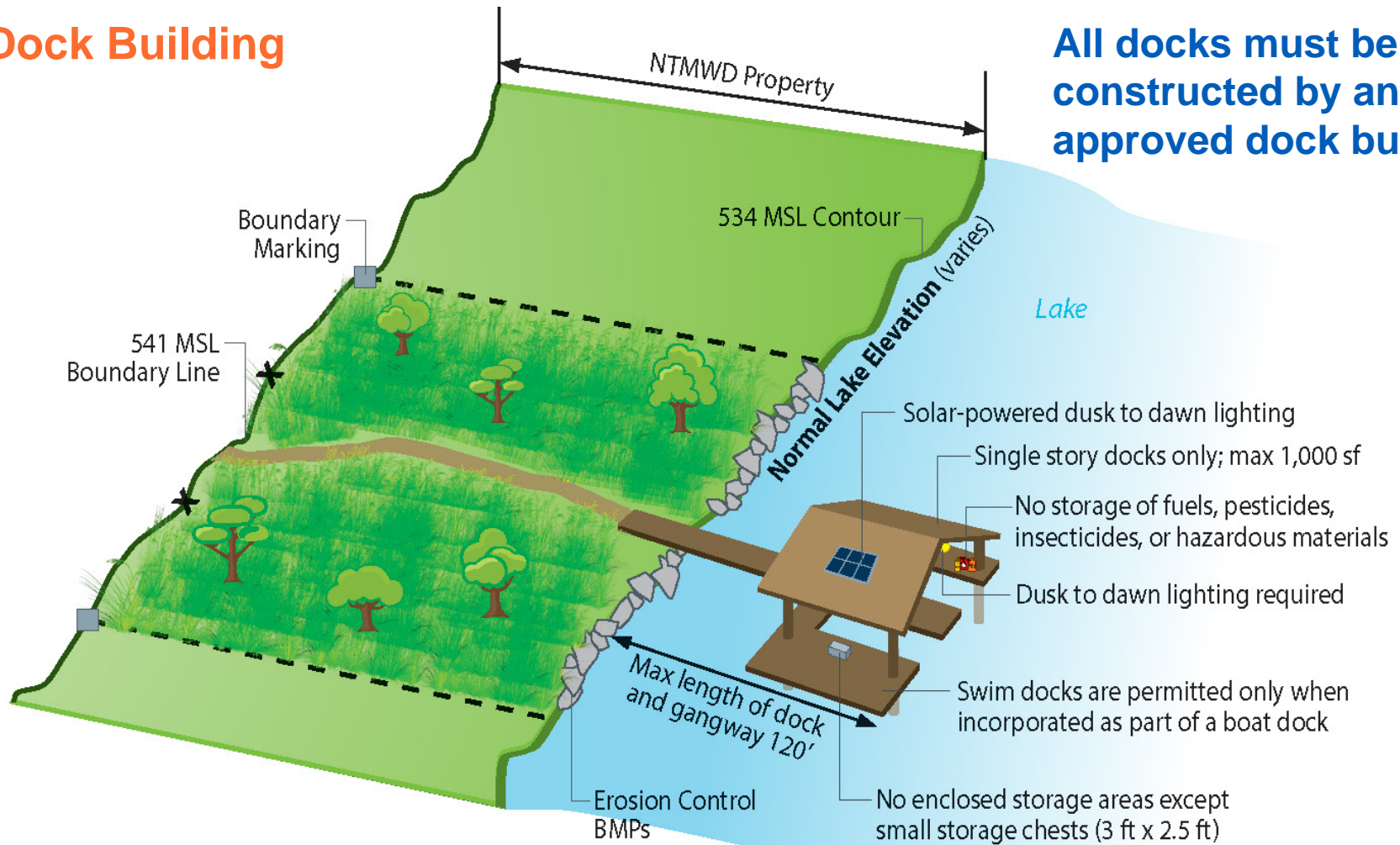
*Board Action: Confirm Approved Dock Types in SMP*



## DOCK CRITERIA

### Dock Building

**All docks must be constructed by an approved dock builder**



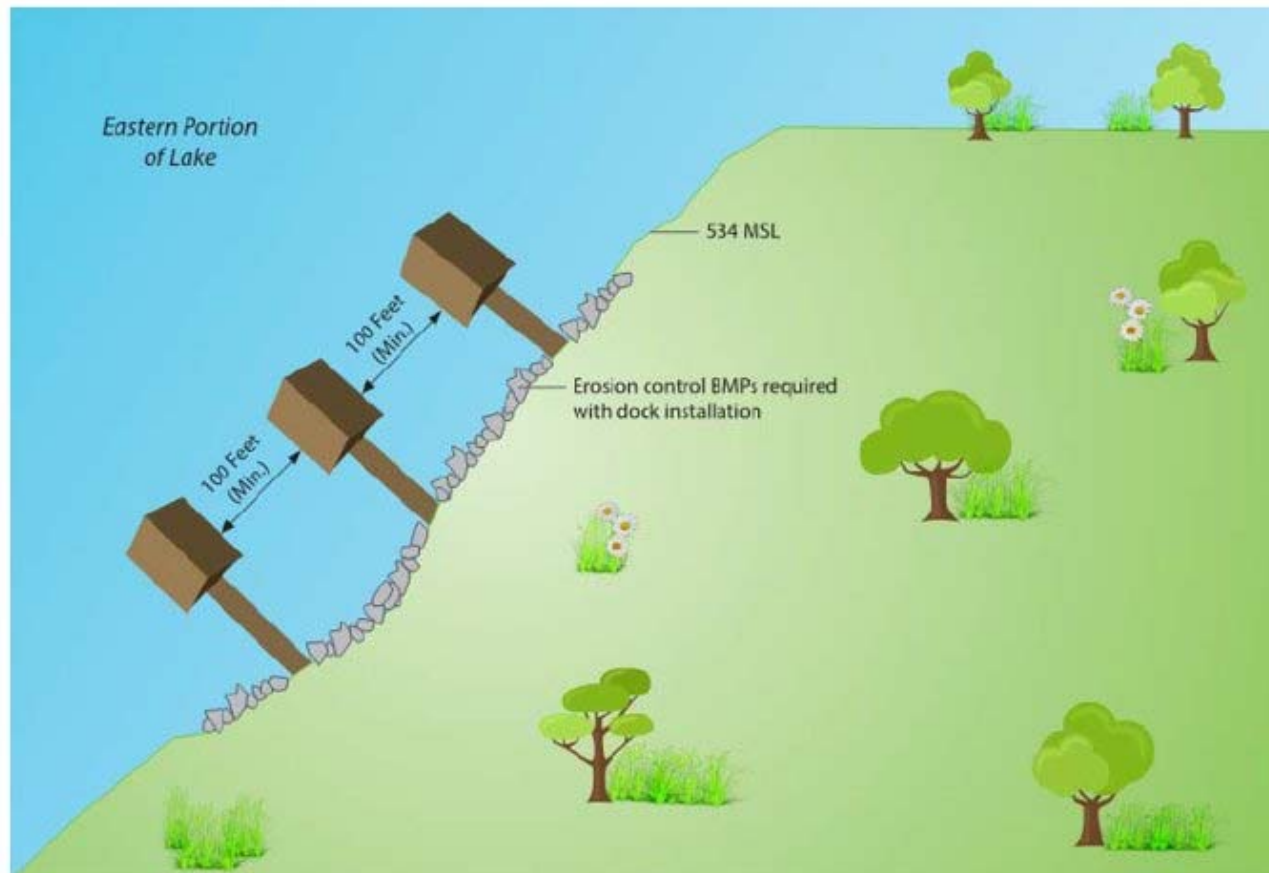
*Board Action: Confirm Dock Requirements in SMP*



## DOCK CRITERIA

### Dock Spacing – Eastern Portion of the Lake

East of New FM 897 Bridge – 100 ft.

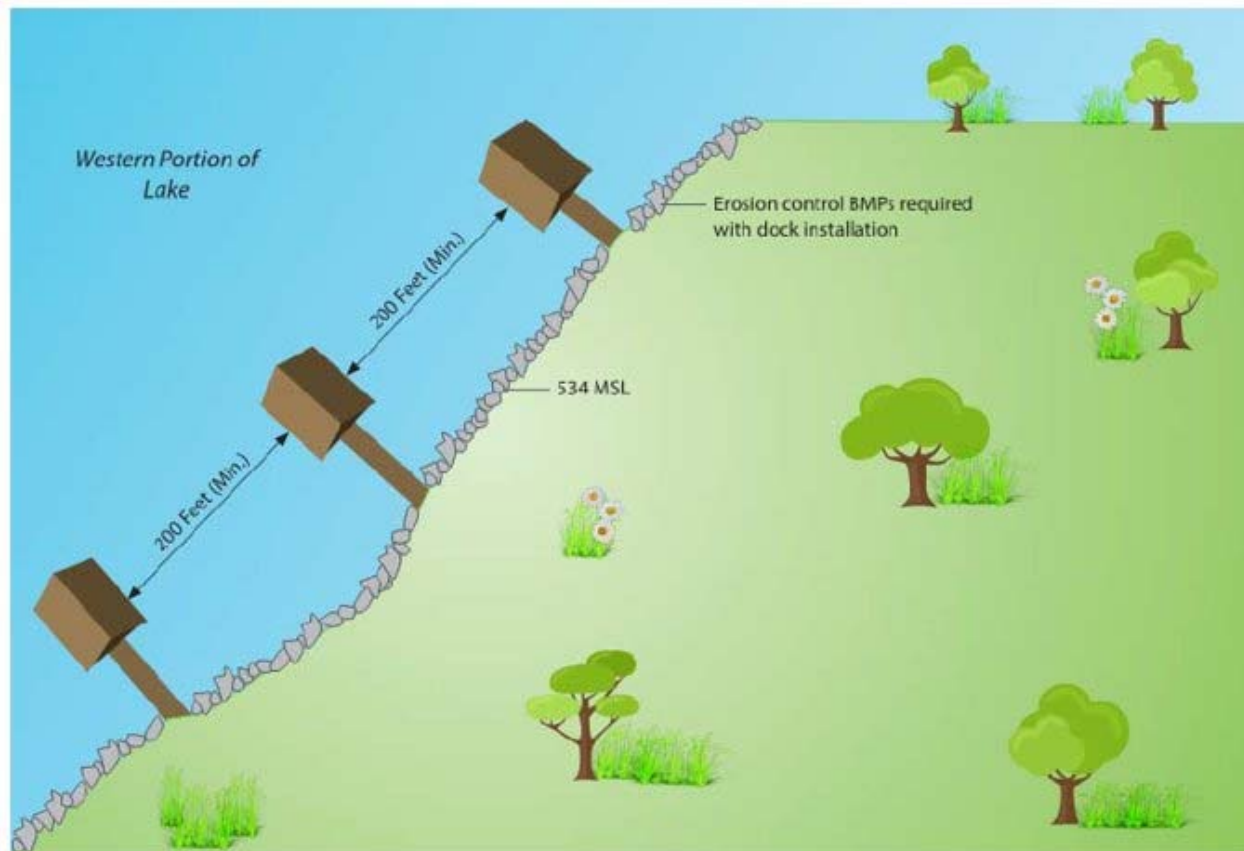




## DOCK CRITERIA

### Dock Spacing – Western Portion of the Lake

West of NEW FM 897 Bridge – 200 ft.





## DOCK CRITERIA

### Dock Spacing

**Dock spacing criteria are intended to promote safety and preserve the desired aesthetic characteristics of the lake**

- Provides ample space between docks for safe navigation of boats
- Encourages the use of community docks for higher density residential developments

**East of NEW FM 897 Bridge – 100 ft.**

**West of NEW FM 897 Bridge – 200 ft.**

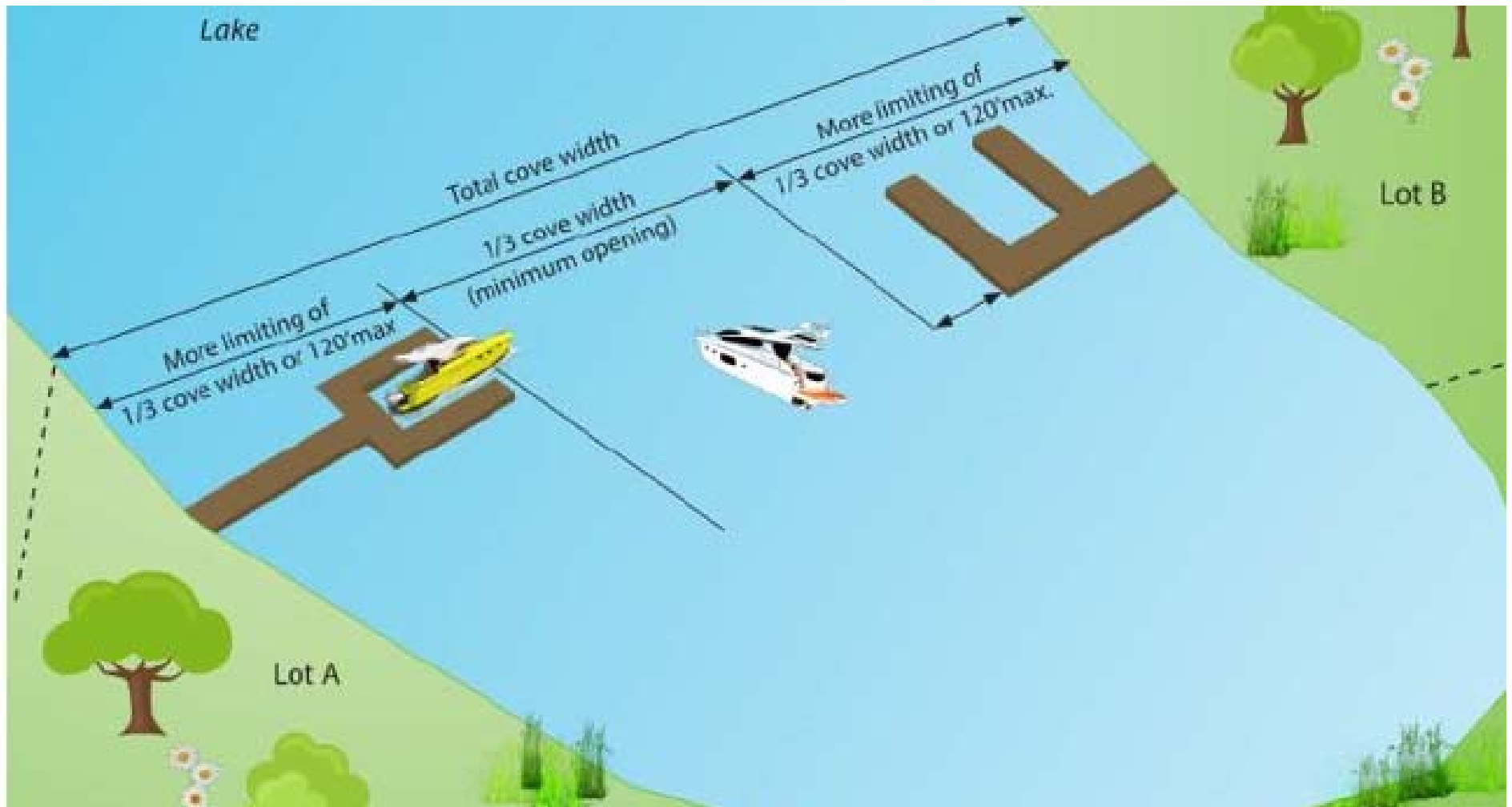
*Board Action: Confirm Approved Dock Density and Spacing in SMP*





## DOCK CRITERIA

### Cove Width Requirements





## AGREEMENTS/FEES/FINES

### Agreement Terms and Conditions

5 year term

Non-transferable

Failure to abide with agreement conditions, flowage easement, and applicable laws **may be cause for termination** of the agreement

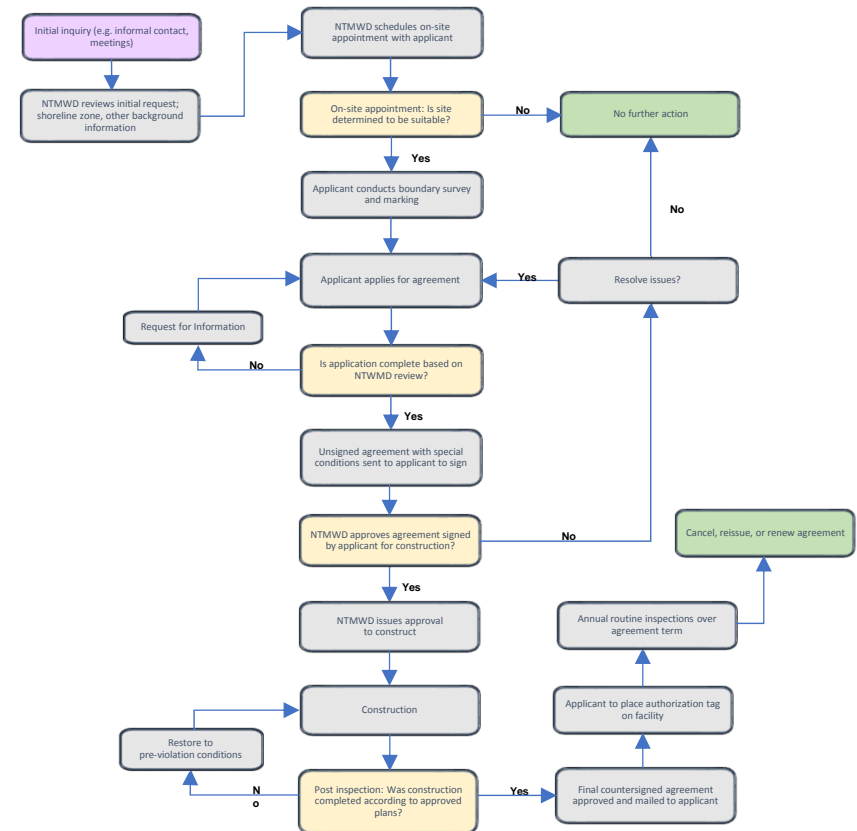
- Lessees agree that:
  - Lake levels vary widely
    - Periods of high and low water may last for extended periods
    - High water and low water may cause damage
  - Lessee assumes all risk of bodily injury and damage
  - Lessee is responsible for all improvements
  - Lessee must protect the environment



## AGREEMENTS/FEES/FINES

### Application and Review Process

1. Initial Inquiry
2. Background Investigation
3. On-Site Review
4. Boundary Line Survey
5. Application Review
6. Draft Agreement
7. Post-construction Inspection
8. Authorization Tags
9. Annual Inspection
10. Renewal, Transfer, Revocation



**Shoreline Lease and Use Agreement  
Review Process Available in SMP  
Section 6**



## AGREEMENTS/FEES/FINES

### Agreement Fees

**Fine and fee schedule reviewed and adopted by Board on an annual basis as part of the NTMWD annual budgeting process**

- Boat Dock Fee – Annual Lease Fee: First Year – **\$750**
  - Annual recurring lease fee in Years 2-5 – **\$100**
  - Standing Timber Removal below EI 534 – **\$250**
- Vegetation Modification/Land-based facilities – **\$500**
- Agreement Renewal Fees – **50% of Year 1 Fee**
- Natural Resource Management Notification – **No Fee**
- Special Event/ Temporary Use Agreement – **\$150**
- Mobility Assistance Vehicle Authorization – **\$25**

**Total 5-year Boat Dock Fees**

**\$1,150 initial**

**\$775 for renewal**

*Board Action: Adopt 2020 Agreement Fee Schedule*



## AGREEMENTS/FEES/FINES

### Other Agreement Fees

- Natural Resource Management Notification – **No Fee**
- Special Event/ Temporary Use Agreement – **\$150**
- Mobility Assistance Vehicle Authorization – **\$25**
  
- Water Quality/Erosion Control Incentive – **50% annual fee reduction**
  - Must install and maintain water quality protection or erosion control measures beyond minimum requirements (Appendix F)
  
- Appeals Fees:
  - Conditions of a lease & use agreement – **\$100**
  - Appeal of revocation of agreement – **\$250**

***Failure to pay fees in a timely fashion will result in a \$50 fine for each notice***

*Board Action: Adopt 2020 Agreement Fee Schedule*



## AGREEMENTS/FEES/FINES

### Fines (SMP Appendix E)

**Typical: 1st Notice/2nd Notice Resolution Timeframe**

**Fines vary by violation type and notice status (\$50–\$200)**

#### ▪ **Violations Subject to Fines**

- Unauthorized Burning
- Unauthorized use of pesticides/herbicides/fertilizers on NTMWD property
- Hazardous materials on docks or NTMWD land
- Unauthorized personal property on NTMWD land or water
- Unauthorized overwater facility
- Unauthorized dock or dock modification
- Unauthorized access path construction
- Unauthorized use of a mobility assistance vehicle
- Failure to delineate the NTMWD boundary line



## AGREEMENTS/FEES/FINES

### Fines (Continued)

#### Violations Subject to Fines

- Unauthorized vegetation modification
- Failure to have a copy of the Agreement with the MAV during use on NTMWD-owned property
- Deviation from Approved Dock Construction Plans
- Emerging erosion issues
- Failure to restore the leased area
- Failure to apply for a Shoreline Use Agreement
- Failure to display Agreement Tags
- Failure to pay Agreement fees
- Failure to renew an Agreement
- Failure to complete construction in allowed time limit

*Board Action: Approve 2020 Fines Schedule*



## AGREEMENTS/FEES/FINES

### Appeals Process

- Appeal of a denial of a shoreline lease and use application or of conditions that are not acceptable to the applicant
- Appeal of a NTMWD decision to revoke an agreement

#### Requirements:

- Must be submitted in writing within 15 days of the denial, violation, revocation notice
- Include the reason for the appeal and provide sufficient detail of why the use or structure in question should be allowed
- Include payment of the appropriate appeal fee

#### Process:

- Staff will review the appeal within 60-days of receipt
- If needed, staff will request additional information
- Complete appeals will be forwarded to ADD for review
- Authority to approve or deny appeals resides with ED or his/her designee

**Alternative  
would be a  
Board  
Committee**

*Board Action: Confirm Appeals Process in SMP*





## ROLES AND RESPONSIBILITIES

### Governance Structure

#### ED/GM or Designee

- Minor SMP Revisions  
(*e.g. contact information*)
- Minor shoreline reclassifications
- Collect fees & levy fines
- Approve Shoreline Lease & Use Agreements\*
- Review appeals for completeness and merit

#### NTMWD Board

- Adopt fee and fine schedules - **5 years**
  - Major SMP Revisions  
(*e.g. carrying capacity*)
  - Revise Shoreline Classification Maps
  - Approve commercial activity agreements (*e.g. marinas*)
  - Approve/deny appeals
- } **~5 years**  
} **As-needed**

*\*During initial filling of the lake it may be appropriate to grant some exceptions*



## Next steps

## Timeline Alternatives

<ul style="list-style-type: none"> <li>▪ <b>Possible Board action on SMP</b></li> </ul>	<b>Summer '20</b>	<b>August '20</b>
<ul style="list-style-type: none"> <li>▪ <b>Establish systems and processes for accepting and managing shoreline agreements</b></li> </ul>	<b>Fall/Winter '20</b>	<b>August '20</b>
<ul style="list-style-type: none"> <li>▪ <b>Establish systems and processes for accepting and managing commercial agreements</b></li> </ul>	<b>Winter '20</b>	<b>Jan '21</b>
<ul style="list-style-type: none"> <li>▪ <b>Possible SMP public information meeting</b></li> </ul>	<b>Spring '21</b>	<b>March '21</b>
<ul style="list-style-type: none"> <li>▪ <b>Begin accepting applications</b></li> </ul>	<b>Summer '21</b>	<b>June '21</b>