



## COLORADO RIVER GUIDELINES

# U.S. ARMY CORPS OF ENGINEERS

LOS ANGELES DISTRICT

The U. S. Army Corps of Engineers regulates the discharge of dredged and/or fill material (concrete, riprap, soil, cement block, gravel, sand, etc.) into waters of the U. S. including adjacent wetlands under Section 404 of the Clean Water Act and work and/or structures in or affecting (above, over, under) a navigable water of the U. S. (e.g. the Colorado River, it's impoundments, sloughs, backwaters, old channels, oxbows, etc.) under Section 10 of the River and Harbor Act of 1899. Increased development along the Colorado River has resulted in increased impacts to the aquatic ecosystem. Therefore, in an effort to minimize the cumulative effects of shoreline development, the Corps, in coordination with other Federal and State resource agencies, has developed the following general guidelines for your use in planning your shoreline project(s).

Specific permits issued for the listed activities may contain special conditions; if a nationwide permit is applicable, the general conditions and any added special conditions are also applicable. Proposed projects that meet the guidelines may be authorized under a Nationwide Permit (NWP) or Letter of Permission (LOP) (expedited processing). Those that do not meet the guidelines will be processed under an individual permit.

In order to maintain native shorelines currently undeveloped or minimally developed, the Corps typically limits shoreline developments within subdivisions to a community dock and/or community ramp and not allow individual shoreline projects below the ordinary high water mark (OHWM). The Corps can advise you if your area falls within the limited development reaches of the river but typically these areas include downstream of Topock to Parker Dam and downstream of Headgate Rock Dam with the exception of Big River and some Colorado River Indian Tribes (CRIT) leased concessions. **Please be advised the Corps has an issued Policy Guidance precluding the removal of Bureau of Reclamation (BoR) riprap below the OHWM. Removal of BoR riprap above the OHWM requires written approval from the BoR. Please contact Mr. Chris Wallis at (928) 343-8215.**

The types of activities requiring permits from the Corps include but are not limited to docks, fishing piers, swimming platforms, ramps, retaining walls, beach creation/enhancement, excavation/dredging, buoy placement, cantilevered decks, boat/jet ski lifts, and generally any activity which occurs below or breaches the plane of the OHWM. Specific guidelines for categories of work are addressed below.

### BOAT DOCKS/SWIMMING PLATFORMS/BOAT LIFTS

1. Only one dock per owner/lessee for contiguous lots will be considered. Most docks/platforms should be floating but may be anchored by driven (hydraulic or pneumatic) pilings. Stationary docks may be authorized depending on location; piers to support the dock shall be driven (hydraulic or pneumatic) pilings. Permits will be issued to the owner of the lot only. Structures must be placed attached to the owner's property and cannot deny access to adjacent owners' riverfront. Docks and gangways (catwalks) may not be attached to existing Bureau of Reclamation or other previously authorized (by the Corps) jetties.
2. Docks in Arizona must be approved by the Arizona State Land Department at (602)542-2680 if any portion of the dock including pilings attaches to State Land.

3. There is a \$500 mitigation fee for new boat docks. A cashier's check or money order (no personal checks) made payable to the "La Paz County Endangered Species Fund" should be submitted with the application to the Corps.
4. No exposed styrofoam on docks/platforms will be authorized.
5. Docks may not extend out into the river further than 25' from the OHWM or a retaining wall, whichever is less. Swimming platforms must be within 10' of the shoreline. Both structures must have a 5' setback from the upstream and downstream property lines.
6. Cantilevered decks/docks may not exceed 50' in length or the length of the property *whichever is less* and 5' in width.
7. Docks/platforms which have not previously been permitted but need to be replaced must first be authorized. Previously permitted docks may be replaced in kind (same configuration, size, locations, etc.) but require written notification to the Corps prior to replacement.
8. Slips, unless part of a community dock or authorized marina, are not eligible to be authorized under a NWP/LOP. Only single arm docks (approximately 20' parallel to the river and 8-10' w) with a gangway/catwalk are permissible. On currently existing, previously authorized slips with authorized boat lifts or covers, boat lifts must be fully contained within the slip and may not extend out past any portion of it. This also applies to any covers over docks or slips.
9. Jet ski docks and boat lifts shall not be authorized by NWP/LOP with the exception of boat lifts which have been previously authorized as part of an existing, previously authorized slip (refer to #6 above).
10. Boat docks and boat ramps at the same property shall no longer be authorized by a NWP/LOP unless there is an extenuating circumstance (i.e. no community launching facility within several miles of the property); otherwise, the property owner shall determine if it is more advantageous to have a dock or a ramp.

#### **FISHING PIERS**

1. Fishing piers may be stationary but must be pile-driven supported with no discharge of concrete for footing.
2. If floating, fishing piers may not contain exposed styrofoam.

#### **RAMPS**

1. Individual, personal ramps cannot be wider than 20' including the site preparation required for the ramp. In accordance with Section 401 certification conditions for the nationwide permit for boat ramps, the Arizona Department of Environmental Quality requires ramps to be precast and moved into place.
2. Individual ramps are discouraged in locations where a local community ramp is available and easily accessed.
3. A ramp and dock on the same lot will no longer be authorized in locations where community ramps are easily accessed.
4. There is a \$500 mitigation fee for boat ramps. A cashier's check or money order (no personal checks) made payable to the "La Paz County Endangered Species Fund" should be submitted with the application to the Corps.

#### **RETAINING WALLS**

1. Footing for retaining walls should be poured at the OHWM and the front of the wall (including decks) should not extend out past the OHWM. Walls which are constructed below the OHWM in Arizona, must obtain a license to encroach on State lands from the Arizona State Land Department (602)542-2680.
2. Material excavated for the footing of a retaining wall must be stockpiled on the land side of the wall, **not** the river side.

3. Retaining walls at the OHWM will only be authorized in areas where erosion of the shoreline is occurring. Retaining walls used only for aesthetic or recreational purposes shall be constructed above the OHWM.

For work on private, not Tribal lands, Section 401 water quality certification must first be obtained from the Arizona Department of Environmental Quality (ADEQ) or the California Regional Water Quality Control Board (CRWQCB). Points of contact are listed under “General Guidelines” below.

#### **BEACH CREATION/ENHANCEMENT**

1. The excavation of native shorelines to create a beach may not exceed 10 cubic yards below the OHWM and shall not occur on Bureau of Reclamation armored banklines (see #3 below)
2. The discharge of sand for beach creation or enhancement may not occur below the OHWM.
3. Riprap placed by the Bureau of Reclamation may not be removed above the OHWM for beach creation/enhancement without prior approval from the Bureau. **Except in extenuating circumstances, the removal of Bureau riprap below the OHWM will not be authorized in accordance with the Los Angeles District’s Policy Guidance on Removal of Armored Banklines.** See paragraph two on page 1 for the Bureau’s point of contact.

#### **JETTIES**

1. In general, unless a significant safety issue exists, the Corps will not authorize the construction of jetties at private residences due to the cumulative impacts caused by these structures including the resultant change to river flows, accumulation of sediments, and navigation hazards.
2. It is illegal to change any jetty constructed by the Bureau of Reclamation without prior authorization from the Corps and the Bureau. Unauthorized activities include adding rock, gunite, cement block; changing the size, configuration, or location of a jetty; or removal of a jetty in part or whole.

#### **EXCAVATION/DREDGING**

1. Excavation/dredging below the OHWM may not exceed 10 cubic yards for individual landowners. A permit must be issued by the Corps prior to the activity.
2. All excavated/dredged material must be immediately disposed of at an upland disposal site and may not be discharged into the river.

#### **BUOYS**

1. “No-wake” or speed limit buoys must be U.S. Coast Guard-approved type installed in accordance with Coast Guard and Arizona Game and Fish Department regulations in addition to Corps regulations.
2. Individual balloon or other type mooring buoys may not be permanently installed and must be removed when not being used to prevent navigation hazards.

#### **CANTILEVERED DECKS, STAIRS, ETC.**

1. These activities are regulated by the Corps and shall not be a navigation hazard. Therefore, decks shall not extend out past the OHWM more than 5’ and shall not exceed 50’ in length or the length of the lot *whichever is less*; stairs should end at the OHWM.

#### **GENERAL GUIDELINES FOR ALL ACTIVITIES**

1. All permits must be obtained prior to the onset of the activity. Please allow 4-6 weeks to obtain a permit. Most permits issued by the Corps do not have fees; however, there is a \$500 mitigation fee for new boat docks and boat ramps.
2. Disturbance to native vegetation must be minimized; cattails and/or other wetland vegetation shall not be removed.
3. Mechanized equipment (rubber-tired or tracked vehicles) should not be positioned below the OHWM. The

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- equipment should be staged above the OHWM and then reach down and work back towards the land.
4. Work may not occur in the wetted perimeter of the river with the exception of installation of floating structures. For other projects such as ramps, retaining walls, beaches, etc., the area must be naturally dewatered in order for the work to occur and should stop if water levels rise into the project area.
  5. All projects on Tribal lands must be approved by the appropriate Tribe. The points of contact are:
    - Colorado River Indian Tribes: Ms. Angie Guzman, (928) 669-1313
    - Chemehuevi Indian Tribe: Environmental Office (760) 858-1140
    - Fort Mojave Indian Tribe: Mr. John Algots, (928) 346-1606
    - Quechan Indian Tribe: Ms. Arlene Kingery (760) 572-2969
    - Cocopah Indian Tribe: Mr. John Swenson, (928) 627-3729, ext. 16
  6. Some categories of work may require Section 401 water quality certification from one or more of the following three agencies:
    - Arizona: ADEQ, Ms. Laurie (Rosi) Sherrill (602) 771-4409
    - California: CRWQCB, Mr. Jay Mirpour (760) 776-8981
    - Tribal Lands: U. S. Environmental Protection Agency, Ms. Elizabeth Goldmann (415) 972-3398
  7. Seawalls, boat ramps, or other structures or fill which occur at or below the ordinary high water mark of the Colorado River on the Arizona side may require a “license to encroach” on State land. The point of contact to determine if this is required at a specific property is: Arizona State Land Department, Mr. Ott Chatupron (602)542-2683.

Questions may be addressed to or permit applications obtained from the Colorado River Senior Project Manager, Mr. Bill Miller at (602) 230-6954. Completed applications may be submitted to Mr. Miller at:

U. S. Army Corps of Engineers  
ATTN: Mr. Bill Miller, Regulatory Division  
3636 N. Central Avenue, Suite 900  
Phoenix, Arizona 85012

Potential penalties for violation of Section 404 may include a maximum criminal fine of \$50,000 per day and imprisonment for up to three years and a maximum civil penalty of \$25,000 per day of violation and for Section 10 a maximum criminal penalty \$2,500 per day of violation and up to one year imprisonment. The Corps may also require complete restoration of a site.

The Corps hopes these guidelines will assist you. Please note they may not be comprehensive for all situations and are subject to change. We appreciate your interest in our Nation’s water resources and your participation in the regulatory program of the U. S. Army Corps of Engineers, Los Angeles District.