

**Wisconsin River Power Company
Dock Management Policy
January 8, 2008**

Wisconsin River Power Company (WRPCO), as per FERC License #1984, grants permission without prior Commission approval for non-commercial piers and boat docks that can accommodate no more than ten (10) watercraft at a time where the dock or pier is intended to serve single family-type dwellings. This policy documents the requirements for issuing licenses on WRPCO owned property for these piers or boat docks on the Petenwell and Castle Rock reservoirs.

Commercial piers, marinas, or docks that serve multiple family dwellings require prior FERC approval and will be considered on a case-by-case basis.

General Dock Management Policy Requirements

The following requirements apply to all dock licenses issued by WRPCO.

- ***No motorized vehicles are allowed at any time on WRPCO owned property without prior written approval from WRPCO.*** No open fires are permitted. No cutting or planting of any vegetation is permitted without written approval from WRPCO. No overnight camping of any kind is permitted on WRPCO property except within designated campgrounds.
- WRPCO reserves the right to change or add regulations and fee charges without notice.
- Dock licenses are not assignable by the Licensee.
- WRPCO will charge reasonable annual fees to recover the cost for implementation of the dock management program. WRPCO will periodically review the fee schedule and make adjustments to ensure cost recovery. License holders will be notified of changes in the fee schedule.
- Private dock license holders will be billed in January of each year, with the fee payable in full within 30 days. The annual fee is for one space on a shared dock. Stairways may be allowed by WRPCO in order to prevent erosion on steep slopes and to provide for safety. All stairways installed on WRPCO owned property must be approved in writing prior to installation. Each additional boat slip provided by a single dock requires an additional annual fee and approval by WRPCO. Payments are non-refundable. A private dock license is subject to termination if the license holder fails to provide payment within 30 days.
- Each license holder is required to carry insurance that meets the minimum standards established by WRPCO and as set forth under the license agreement.

Documentation of insurance coverage shall be provided to WRPCO by each licensee annually. WRPCO will periodically evaluate insurance requirements and notify license holders of changes as part of the annual fee billing process. A dock license is subject to termination if the license holder fails to provide documentation of insurance coverage within 30 days of the expiration of the previous year's insurance coverage.

- All licensed docks and/or approved stairways installed on WRPCO property are expected to follow the Wisconsin Department of Natural Resources pier planner guidelines and any other local, county, state, and/or federal ordinances and rules that may apply to boat docks and/or stairways.
- Dock configuration layouts are generally not restricted so long as no portion of the dock is greater than four feet wide except where bracing may be required for safety or structural reasons. All proposed dock configurations shall be reviewed by WRPCO for approval as part of the licensing process.
- A path may be established to gain access to each licensed dock. The path shall not exceed four feet in width in any location. Trees larger than two (2) inches in diameter at a height of five (5) feet shall not be removed to establish the path without prior written approval. Branches on trees that are larger than two (2) inches in diameter at a height of 5 feet may be pruned to a height not exceeding 8 feet only if they are located within the four foot wide path area. The path may be established by mowing existing vegetation or placing natural wooden materials such as bark mulch or chips. Gravel, stepping stones, brick and wooden board walks shall not be used as path surfaces. No ground disturbing activities are permitted in order to create a path.
- Licensed docks and/or approved stairways shall not exceed four feet in width at any location on either structure except where bracing may be required for safety or structural reasons. They shall be installed and maintained by the license holder in a safe manner and in good repair. WRPCO reserves the right to conduct regular inspections of all docks and stairways. A dock license is subject to termination if the license holder fails to maintain the dock and/or stairway in a safe manner. License holders will be notified by WRPCO if maintenance work is required. Licenses are subject to termination if the license holder fails to complete prescribed maintenance work within 30 days of notification by WRPCO.
- WRPCO shall not be liable for injuries to any person or persons or damage to any property sustained by any person or persons on, in, or about said premises arising out of or incidental to the occupation and use thereof by the Licensee. WRPCO shall not be liable for any damages to any property or injuries to any person or persons on said premises by water from the Wisconsin River and its tributaries due to any cause whatsoever.

- Placement or storage of personal items including, but not limited to: birdfeeders, birdhouses, picnic tables, lawn furniture, grills, fire pits and wood piles is prohibited on WRPCO owned property.
- Licensed docks may be stored on the WRPCO owned shoreline immediately adjacent to the water during the fall and winter. Docks and boat lifts shall not be stored on the shoreline between June 1 and August 31 of each year. Docks and boat lifts that are not installed between June 1 and August 31 shall be removed from WRPCO owned property.
- Any person issued a new dock license after January 1, 2008 shall not store any boat lift on the WRPCO owned shoreline adjacent to the water. This does not prevent new license holders from using boat lifts in the water during the boating season.
- Overnight storage of watercraft including, but not limited to: personal watercraft, motorized and nonmotorized boats, kayaks, canoes, sailboats and sailboards is prohibited on WRPCO owned property. Watercraft may be stored at a licensed boat slip during the boating season.
- WRPCO may terminate private dock licenses at any time or may choose not to renew a license without showing cause, following a 30-day written notice to the license holder. WRPCO may terminate property association dock licenses as described in the Association's nonexclusive license agreement. If a license is cancelled or not renewed, the license holder shall remove all personal property including stairways, docks, boat lifts, etc. from WRPCO land within 30 days. In the event personal property is not removed within 30 days, WRPCO will have it removed. The license holder shall be responsible for all costs associated with the removal.
- Licensed docks and approved stairways are considered private property. WRPCO will provide a metal sign stating the stairway and dock are licensed by WRPCO and private property. WRPCO owned property adjacent to licensed stairways and docks shall be open to the general public. License holders shall not post WRPCO land against trespass. Lands classified as Shoreline Commons Areas (SCA) are open to the public for certain pedestrian activities. These activities are listed below in the section titled "Shoreline Commons Area Association Docks". Lands not classified as SCA are open to the public.

Requirements for New Dock Development

WRPCO has completed an inventory of the Petenwell and Castle Rock reservoir shorelines to identify areas that are eligible and ineligible for dock placement based upon environmental factors. Environmental factors surveyed included archeological resources, threatened and endangered species, water depth, wetlands, topography, access, and recreational conflicts. New dock placements will be allowed only if they are proposed in

areas identified by WRPCO as eligible for dock placement. The shoreline inventory of areas that are eligible and ineligible for docks is maintained by WRPCO.

Private Dock Development

The following requirements apply to the development of private docks in addition to the previously described “General Dock Management Requirements”:

- New docks located on WRPCO property proposed for development under this policy shall have a minimum capacity of four (4) slips and may not exceed ten (10) slips. WRPCO will approve the physical location of all docks.
- WRPCO maintains a waiting list for individuals who have requested a new dock. All persons wanting a new dock on WRPCO-owned land must first request in writing to be placed on the WRPCO Dock Waiting List. Dock licenses will be issued to individuals on the waiting list on a first-come-first-served basis. A group of no less than four individuals from the waiting list may request licenses for placement of a new dock.

Property Owner Association Dock Development

The following requirements apply to property owners’ association development of docks in addition to the previously described “General Dock Management Requirements”.

A landowner or landowners immediately adjacent to WRPCO shoreline property may establish an association and apply for a dock license and or shoreline license if the following conditions are met:

- The shoreline must be one of the areas identified by WRPCO as eligible for dock placement under the current WRPCO Dock Policy.
- Land must be immediately adjacent to WRPCO owned shoreline area and must be used for residential, non-commercial purposes.
- The lot owner/owners must form an Association. All costs associated with forming an Association are the lot owners’ responsibility.
- A Shoreline Commons Area (SCA) for affected WRPCO land shall be designated and managed following the WRPCO, “Shoreline Vegetation Management Guidelines”.
- The Association must develop a SCA public trail paralleling the shoreline. All costs associated with development SCA public trail are the Association’s responsibility. The location, design, and surface materials used on the SCA public trail shall be approved by WRPCO. WRPCO is responsible for SCA trail maintenance once the trail is established.

- A non-exclusive license agreement shall be issued to the Association. All costs associated with agreement are the Association's responsibility. The license agreement will establish annual costs associated with dock permits.

Requirements for Existing Docks

The following requirements apply to docks currently licensed by WRPCO in addition to the previously described "General Dock Management Requirements".

Cluster Docks

Existing cluster dock licenses will continue to be issued provided the current license holders as a group do not terminate their individual licenses. Should all license holders on a dock choose not to renew their licenses; the dock and its location will be evaluated to determine compliance with the "Requirements for New Dock Development". Any cluster dock and/or location not meeting the requirements will be discontinued.

Should an individual that is a member of a cluster dock group not renew his/her dock license the license holder will be replaced using the following procedure:

- WRPCO maintains a waiting list for individuals who have requested a boat slip on an existing dock. All persons wanting a new boat slip on WRPCO owned land must first request in writing to be placed on the WRPCO Dock Waiting List. Dock licenses will be issued to individuals on the waiting list on a first-come-first-served basis.
- First priority to occupy a vacated slip on an existing dock will be given to individuals on the WRPCO Dock Waiting list if an existing license holder does not renew his/her license. If no individuals on the waiting list choose to accept a license for the vacated slip, the former license holder or other license holders on the dock may recommend a replacement individual for WRPCO review and approval.
- Dock ownership costs shall be shared by all license holders associated with the facility. Dock owners may not charge an unreasonable fee for a new license holder to obtain a slip on a dock. WRPCO considers an unreasonable fee to be in excess of the total cost of dock divided by the total number of slips on the dock. If WRPCO determines that an unreasonable fee has been charged, all licenses associated with the subject dock may be revoked.

Single-Slip Docks

A single-slip dock location currently licensed by WRPCO will be allowed to continue for the current license holder only. Should the current license holder choose not to renew his/her license; the dock and its location will be evaluated to determine compliance with the "Requirements for New Dock Development". Any dock and/or location not meeting the requirements will be discontinued. Should the existing single-slip dock location be determined eligible for continued dock placement, the site will become available for a cluster dock with a minimum of four (4) slips and offered to individuals on the WRPCO Dock Waiting List.

Shoreline Commons Area Association Docks

Docks located on SCAs are for the exclusive use of Association members.

Association dock fees will be based upon number of boats or boat lifts present for billing purposes. The license fee for the year 2008 shall be a \$500 base fee plus \$100 per boat slip when occupied by a boat or boat lift (shore station). The occupied slip fee will apply regardless of when, during the season, the equipment is placed into service. The Licensor has the right to increase the \$500 base fee from year to year, but not more than 6% above any previous calendar year. For years after 2008, the Licensor has the right to increase the per occupied slip fee at the same amount as the standard Boat Dock Annual License Fee charged all other Licensees by the Licensor.

The base fee will be billed in January of each year with the fee payable in full within 60 days. The occupied slip fee will be billed after an inspection is completed during the boating season. WRPCO will discontinue the practice of determining who has occupied each slip. Boat license numbers will not be recorded. The Association will be responsible for total fee and can determine how to bill its membership as it sees fit. Failure of the Association to pay the required fee within 60 days will result in revocation of permission for dock placement.

WRPCO will approve all Association dock locations. Docks will not be placed in a manner that unreasonably restricts public access.

Association members may utilize the Association SCA for activities listed in their Association's non-exclusive license agreement. The general public may utilize an Association SCA for pedestrian activities including:

- Hiking, jogging, walking, pass through access
- Beach combing with metal detectors and small tools
- Bird watching and nature photography
- Bank fishing, except within 100 feet of any dock, pier, or designated swimming area.
- Picnicking in groups of 6 or less, except within 100 feet of any dock, pier or designated swimming area.