



Wisconsin River Power Company  
(owners of the Petenwell & Castle Rock Hydroelectric Plants)  
P.O. Box 19001  
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**WISCONSIN RIVER POWER COMPANY  
DOCK MANAGEMENT POLICY FOR EXISTING DOCKS  
UPDATED: May 9, 2018**

In accordance with Article 413 of the Federal Energy Regulatory Commission (FERC or Commission) Order Issuing New License for the Wisconsin River Power Company (WRPCO) FERC License No.1984 dated December 7, 2001, WRPCO may, grant 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. WRPCO may also establish and charge a reasonable fee to cover WRPCO's costs of administering such program. 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.

**General Dock Management Policy Requirements For All Dock Types**

The following requirements apply to all dock licenses issued by WRPCO. Dock licenses are subject to termination if the Licensee fails to comply with this policy.

- Dock licenses are not assignable by the Licensee.
- No motorized vehicles are allowed at any time on WRPCO owned property without prior written approval from WRPCO.
- Improvements (such as stairways, boardwalks, rip rap, etc.) may be allowed by WRPCO in order to prevent erosion on steep slopes and to provide for safety. All improvements installed on WRPCO owned property must be approved by WRPCO in writing prior to installation. The improvement project may require the issuance of a license agreement and proof of insurance. The Licensee will also be responsible for obtaining any needed permits and approvals and providing copies to WRPCO. All expenses related to the improvement project, including WRPCO staff time, are the responsibility of the Licensee. The Licensee must construct the project as approved by WRPCO. WRPCO may review the project site to ensure compliance. If the improvement project is found to be not compliant, WRPCO will take necessary steps to ensure compliance which may include termination of the improvement project and dock license agreement.
- All licensed docks and/or approved stairways installed on WRPCO property are expected to follow the WRPCO Dock Management Policy, WDNR Pier Planner

guidelines and any other federal, state, or local laws and ordinances that may apply to boat docks and/or stairways.

- Dock configuration layouts are generally not restricted as long as they meet the conditions of the WDNR Pier Planner guidelines required for safety or structural reasons. All proposed dock configurations shall be reviewed by WRPCO for approval as part of the licensing process. They shall be installed and maintained by the Licensee in a safe manner and in good repair. WRPCO reserves the right to conduct regular inspections of all docks and stairways. Licensees will be notified by WRPCO if maintenance work is required. Prescribed maintenance work must be completed within 30 days of notification by WRPCO.
- Licensees are responsible for all permitting and costs associated with any maintenance or repairs to WRPCO property as a result of Licensee usage; such as but not limited to shoreline stabilization, riprapping, erosion control, etc. Such activities must first be granted approval in writing by WRPCO.
- A path may be established and maintained to gain access to each licensed dock. The path shall not exceed four (4) 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 may be pruned up a tree trunk to a height not exceeding eight (8) feet from ground level only if they are located within the four (4) foot wide path area. The path may be established by mowing existing vegetation or placing natural wooden materials such as bark mulch or chips on the path. Gravel, stepping stones, brick and wooden board walks shall not be used as a path surface. No ground disturbing activities are permitted in order to create a path. No other mowing or vegetative cutting is permitted without the written approval of WRPCO.
- Vegetation less than two (2) inches in diameter may be trimmed back within two (2) feet of an approved stairway or dock. No other vegetative cutting is permitted without the written approval of WRPCO.
- No other improvements, other than what is outlined within this policy, are permitted on the shoreline without the written consent of WRPCO.
- Placement or storage of personal items including, but not limited to: birdfeeders, birdhouses, picnic tables, lawn furniture, grills, fire pits, solar lights, flags, chairs, wood piles, rope swings, personal flotation devices, and lawn debris 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 shall not be stored on the shoreline between June 1 and September 30 of each year. Docks that are not installed between June 1 and September 30 shall be removed from WRPCO owned property.

- Boat lifts<sup>1</sup> are not permitted to be stored on WRPCO owned shoreline at any time<sup>2</sup>. This does not prevent a Licensee from using boats lifts in the water during the boating season.
- Overnight storage of watercraft<sup>3</sup> is prohibited on WRPCO owned property. Watercraft may only be stored at a licensed boat slip during the boating season.
- Licensed docks and approved stairways are considered private property. Licensee may place a private property or no trespassing sign ONLY on their licensed stairway or dock. WRPCO owned property adjacent to licensed stairways and docks shall be open to the general public. Licensees 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 also open to the public.
- 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.
- 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. Licensees will be notified of changes in the fee schedule.
- Each Licensee 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 Licensees of changes as part of the annual fee billing process.
- 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 Licensee. 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 Licensee shall remove all personal property including stairways, docks, boat lifts,

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<sup>1</sup> Lifts include: boat lift, jet ski lift, and shore station.

<sup>2</sup> Except where specifically allowed in a Land Use or Non-Exclusive License Agreement.

<sup>3</sup> Watercraft is defined as motorized and non-motorized boats, paddle boat, row boat, Jon boat, pontoon, sail boat, kayak, canoe, jet ski, personal watercraft, sailboards, and all similar vessels.

etc. from WRPCO land within 30 days. In the event personal property is not removed within 30 days, WRPCO will have it removed and disposed. The Licensee shall be responsible for all costs associated with the removal.

- WRPCO reserves the right to change or add to the Dock Management Policy without notice.
- No open fires or overnight camping of any kind is permitted on WRPCO property, except within designated campgrounds.

### **Requirements for Existing Cluster and Single Slip Docks**

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

- Existing cluster and single dock licenses will continue to be re-issued annually to existing Licensees provided there are no outstanding fees or encroachments at renewal time.
- Dock licenses are not assignable by the Licensee. Once a slip is terminated, it will not be reissued to a new slip holder. Once all slip holders on a dock have terminated their licenses the dock location will not be renewed for a new dock or new slip holders. It will be the responsibility of the past slip holders to remove their dock from WRPCO property within 30 days of the last slip termination, otherwise WRPCO will remove and dispose of it.
- Dock ownership costs shall be shared by all Licensees associated with the dock. Dock owners may not charge an unreasonable fee for the other Licensees on the 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; to include annual maintenance, installation, and end-of-season removal costs. If WRPCO determines that an unreasonable fee has been charged, all licenses associated with the subject dock may be revoked.
- Dock maintenance, installation, and end-of-season removal are the responsibility of the Licensees of each dock.
- Licensees will be billed per slip in January of each year they are licensed to occupy a slip, with the fee payable in full within 30 days. Payments are non-refundable.

### **Requirements for Existing Shoreline Commons Area Association Docks**

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

- Association slips are assignable by the Association.

- Docks located on SCAs are for the exclusive use of Association members and their guests.
- Dock maintenance, installation, and end-of-season removal are the responsibility of the Association.
- Association dock fees will be based upon number of occupied slips by a watercraft and/or lift. An installed lift on a dock is considered an occupied slip whether it is being utilized by a watercraft or not. The occupied slip fee will apply regardless of when the equipment is placed into service during the season. WRPCO has the right to increase the base fee from year to year, but not more than six percent (6%) above any previous calendar year. WRPCO has the right to increase the per occupied slip fee.
- The base fee and occupied slip fee will be billed in January of each year. With the fee to be paid in full within 60 days. The occupied slip fee will be self-reported by each Association President or Developer and the slip fee will be due at the same time as the base fee is due. If an Association ends up using more slips than they self-reported at the beginning of the year then they shall report and pay for the additional slips used.
- WRPCO will complete random audits of Association docks throughout the year to compare actual occupied slips with what was self-reported at the beginning of the year. If additional slips are counted, WRPCO will bill the association for the additional slips.
- Failure of the Association to pay the required fee within 60 days can result in revocation of permission for dock placement and termination of the Land Use Agreements.
- 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.
- WRPCO will need to approve all Association dock locations or relocations. Docks will not be placed in a manner that unreasonably restricts public access to the shoreline and the water.
- Association members may utilize the Association SCA for activities listed in their Association's non-exclusive license agreement. The Association cannot restrict the general public from utilizing an Association SCA for pedestrian activities:
  - 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 six or less, except within 100 feet of any dock, pier or designated swimming area.