

ILLINOIS DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF WATER RESOURCES  
ONE NATURAL RESOURCES WAY  
SPRINGFIELD, ILLINOIS 627021271

STATEWIDE PERMIT NO. 5

AUTHORIZING CONSTRUCTION OF MINOR BOAT DOCKING FACILITIES AND  
THE MODIFICATION OF OR ADDITION TO EXISTING DOCKS

**PURPOSE**

The purpose of this Statewide Permit is to authorize the construction of minor non-commercial recreational boat docking facilities and modifications of, or additions to, docking facilities which, by being in compliance with the terms and conditions of this permit, are determined to have insignificant impact on those factors which are under the jurisdiction of the Department of Natural Resources, Office of Water Resources. Subsequent to the effective date of this permit, it will not be necessary to submit applications for permit to, or obtain individual permits from, the Department of Natural Resources, Office of Water Resources, for the construction or modification of, or addition to, boat docking facilities meeting the specified terms and conditions of this permit.

**APPLICABILITY**

This permit applies to all proposed and existing non-commercial recreational boat docking facilities on all Illinois rivers, lakes and streams under the Department's jurisdiction except Lake Michigan and those in Lake, McHenry, Cook, DuPage, Kane and Will Counties for which regulatory floodways have been designated pursuant to 17 Illinois Administrative Code 3708. This permit does not apply, however, to projects which conflict with a federal, state or local project or improvement, or with any other rule of the Department.

Multiple docks on a single site may comply with the intent of this Statewide Permit and, therefore, may be authorized by this permit. However, for those projects involving more than one dock on a site, plans must be submitted to the Department of Natural Resources, Office of Water Resources for review and an appropriate determination.

In order to be authorized by this permit, the boat docking facility must meet the following special conditions.

**SPECIAL CONDITIONS**

1. The boat dock must not project more than 50 feet into a waterway, and in no instance greater than 1/4 of the width of the waterway, and shall not extend beyond the navigation limits established by the Department of Natural Resources and the Corps of Engineers.
2. The width of the boat dock must not be greater than 10 feet.
3. For L-shaped or T-shaped docks, the length of that portion parallel to the shoreline must not exceed 50 percent of the landowner's shoreline frontage, nor 50 feet.
4. Docks must be aligned so as not to cross the projection of property lines into the waterway or come within 10 feet of the projection of the property line.
5. Dock posts must be marked by reflective devices.

6. The boat dock must be securely anchored to prevent its detachment and becoming a floating hazard during times of high water or winds.
7. Metal drums or containers may not be used as buoyancy units unless they are filled with flotation foam. Containers which previously stored pesticides, herbicides, or any other toxic chemicals are not permissible.
8. This permit does not authorize any other related construction activity such as shore protection or fill.
9. Nonfloating boat docks must be constructed in a manner which will minimize obstruction to flow.
10. If at any future date the Department of Natural Resources or the Corps of Engineers determines that the dock facility obstructs or impairs navigation, or in any way infringes on the rights or interests of the public or any individual party, the permittee agrees to make necessary modifications to the dock as determined by the Department of Natural Resources or the Corps of Engineers.

#### **GENERAL CONDITIONS OF THE STATEWIDE PERMIT**

1. This permit is granted in accordance with the Rivers, Lakes and Streams Act, 615 ILCS 5 (1996 State Bar Edition).
2. This permit does not convey title to any permittee or recognize title of any permittee to any submerged or other lands, and furthermore, does not convey, lease or provide any right or rights of occupancy or use of the public or private property on which the project or any part thereof will be located, or otherwise grant to any permittee any right or interest in or to the property whether the property is owned or possessed by the State of Illinois or by any private or public party or parties.
3. This permit does not release any permittee from liability for damage to persons or property resulting from the work covered by the permit and does not authorize any injury to private property or invasion of private rights.
4. This permit does not relieve any permittee of the responsibility to obtain other federal, state or local authorizations required for the construction of the permitted activity; and if the permittee is required by law to obtain authorization from any federal authority to do the work, the authorization is not effective until the federal approval is obtained.
5. The permittee shall, at his own expense, remove all temporary piling, cofferdams, false work, and material incidental to the construction of the project, from the floodway, river, stream or lake in which the work is done. If the permittee fails to remove such structures or materials, the state may have removal made at the expense of the permittee. If future need for public navigation or public interests of any character by the state or federal government necessitates changes in any part of the structure or structures, such changes shall be made by and at the expense of the permittee or his successors, as required by the Department of Natural Resources or other properly constituted agency within sixty (60) days from receipt of written notice of the necessity from the Department or other agency, unless a longer period of time is specifically authorized.

6. If a project authorized by this permit is located in or along a meandered lake, the permittee and his successors shall make no claim whatsoever to any interest in any accretions caused by the project.
7. In issuing this permit, the Department of Natural Resources does not approve the adequacy of the design or structural strength of any structure or improvement authorized by this permit.
8. This Statewide Permit shall remain in effect until such time as it is modified, suspended, or revoked by the Department of Natural Resources.

This Statewide Permit was issued on November 15, 1982 and last modified or corrected June 15, 1998.

APPROVED:

Brent Manning, Director  
Department of Natural Resources

EXAMINED AND RECOMMENDED:

Martin J. Stralow, Manager  
Division of Water Resource Management

APPROVAL RECOMMENDED:

Donald R. Vonnahme, Director  
Office of Water Resources