

**PROJECT OPERATION
SHORELINE MANAGEMENT PLAN
FOR HARTWELL LAKE PROJECT
GEORGIA AND SOUTH CAROLINA**

**DISTRICT PAMPHLET
NO. 1130-2-18**

30 January 2007

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1. Purpose. To provide guidance and information to the public, specific to management of the Hartwell Project shoreline, the US Army Corps of Engineers developed the Hartwell Project Shoreline Management Plan. In reference to this plan, the term “shoreline” refers to all public land located between private property and 660 msl. Within this plan, the types of private uses and activities that may be considered for approval on public land and water are described. Additionally, the plan addresses shoreline allocations, rules, regulations and other information relevant to the Hartwell Project Shoreline Management Program.

2. Policy. It is the policy of the US Army Corps of Engineers to manage and protect the Hartwell Project shoreline in a manner promoting the safe and healthful use of the shoreline by the public while maintaining environmental safeguards to ensure a quality resource for future generations. Public access and use of the Hartwell Project shoreline will be preserved. The US Army Corps of Engineers is required to achieve a balance between permitted private uses and resource protection for general public use.

3. General Objectives. Management of all public land at the Hartwell Project is necessary to provide an opportunity for optimum recreational experiences for the maximum number of people, while assuring compatibility among permitted private uses, general public use, and protection of project resources. Objectives of the plan are to achieve a balance between public use and permitted private use, while assuring long term resource protection for the enjoyment of project benefits by all.

4. Authority. Prepared in accordance with the requirements of Engineering Regulation (ER) 1130-2-406, dated 31 October 1990, revised 28 May 1999, titled Shoreline Management at Civil Works Projects. References include:

- a. Section 460D, Title 16, United States Code.
- b. Section 9701, Title 31, United States Code.
- c. The National Environmental Policy Act of 1969, (42 USC 4321 et seq.).
- d. Section 404 of the Clean Water Act of 1977, (33 USC 1344).
- e. Section 1134(d) Water Resources Development Act of 1986, Public Law 99-662, 100 Stat. 4251.
- f. Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403).
- g. Section 4, Flood Control Act of 1944, Public Law 78-534, as amended by Public Law 87-874.
- h. Section 6, Public Law 97-140, 29 December 1981, 95 Stat. 1718.

i. Title 36, Chapter III, Part 327, Code of Federal Regulations, Rules and Regulations Governing Public Use of Water Resources Development Projects Administered by the Chief of Engineers.

j. Title 33, Chapter II, Part 323, Code of Federal Regulations, Permits for Discharges of Dredged or Fill Material into Waters of the United States.

k. Executive Order No. 12088, Federal Compliance with Pollution Control Standards.

l. Executive Order No. 11644, Use of Off-Road Vehicles on Public lands.

5. History.

a. Preparation of the General Development Plan and later the Land Use Plan was initiated in 1961, following impoundment of the Hartwell Reservoir. Development of the Land Use Plan included inspection of the shoreline and selection of lands for public recreation use. A moratorium on accepting applications for lakeshore use permits was not declared during these developmental stages, and permits were issued in accordance with the Land Use Plan until 1974.

b. In 1972, development of the Lakeshore Zoning Plan was initiated as outlined by a US Army Corps of Engineers South Atlantic Division letter dated 19 September 1972. Subsequently, the Lakeshore Zoning Plan evolved into the Lakeshore Allocation Map, outlined in the proposed Lakeshore Management Regulations (ER 1130-2-406), printed in the Federal Register on 30 May 1974. Prior to this in January 1974, development of the Lakeshore Management Plan began in accordance with the proposed regulations. With the exceptions of the reallocation of the shoreline adjacent to Clemson University as "Protected Lakeshore Area" at the university's request and the allocation of "Protected Lakeshore Area" immediately adjacent to roads, bridges, environmentally significant areas and some recreation areas, the Lakeshore Management Plan did not differ significantly from the 1961 Land Use Plan. The Hartwell Lakeshore Management Plan was approved and implemented in January 1979. In June 1988, a revision of the Lakeshore Management Plan was initiated, resulting in the approval and implementation of the Shoreline Management Plan for Hartwell Lake in July 1989. A review of the 1989 plan was initiated in 1997 resulting in the approval and implementation of the 1998 Shoreline Management Plan. The review process for this document was initiated in June 2005.

6. Public Involvement.

a. To seek public input and provide information to the public, the Savannah District US Army Corps of Engineers held four public meetings on the Hartwell Lakeshore Management Plan between 1974 and 1978. These public meetings, in conjunction with a Congressional Hearing by the Committee on Public Works and Transportation, provided public input to the initial plan.

b. In September 1988, following a review and revision of the 1979 Lakeshore Management Plan, four public workshops were conducted to obtain public input. Written comments were accepted until 1 November 1988. The workshops and written comments provided input to the final draft, offered for public comment in March 1989. Four open houses were held at the Resource Manager's Office to discuss, clarify, and accept comments on the final draft. Written comments were also accepted. Appropriate comments were incorporated into the final plan.

c. In June and July 1997, four public workshops were conducted at the following locations to obtain comments related to the 1989 plan: 17 June 1997 - Anderson, SC; 24 June 1997 - Hartwell, GA; 15 July 1997 - Central, SC; 22 July 1997 - Toccoa, GA. Written comments were accepted until 22 August 1997. Comments received were used to draft a revised plan, which was distributed for further comment on 15 December 1997. Additional comments were accepted until 1 February 1998. Revision was made to the draft plan by the Hartwell Project Office and submitted to Savannah District and South Atlantic Division Offices for final approval.

d. In June 2005, the public review process to update the 1998 Plan was initiated by the acceptance of written comments via e-mail and/or regular mail. Four public workshops were conducted: 6 September 2005 - Clemson Outdoor Lab, 8 September 2005 - North Georgia Technical College, 12 September 2005 - Hart County Learning Center, and 15 September 2005 - Anderson Area YMCA. Written comments were accepted until 18 October 2005. Based on comments received and in conjunction with management responsibilities, a draft plan was publicized 27 June 2006. Written comments on the draft were accepted until 27 July 2006. Minor clarifications and revisions were made to the draft and submitted for final approval.

7. Project Purposes. The Hartwell Project is a large, multi-purpose reservoir, constructed between 1957-1963 on the Savannah River. Authorized project purposes are flood control, water quality, water supply, hydroelectric power generation, recreation, navigation, and fish/wildlife benefits. The US Army Corps of Engineers, Savannah District is responsible for managing and maintaining a balance between these often competing demands on the resource.

8. Shoreline Use Permit History. Private facilities and activities have been permitted on Hartwell Lake since impoundment began on 17 January 1961. In 1974, a mandate was issued requiring all US Army Corps of Engineers projects that had existing permitting programs, to establish shoreline management plans. These plans were to outline the type facilities and activities that could be permitted and were to include allocation zones identifying the type permits that could be issued within each zone. Approximately 76 percent of Hartwell's 962 miles of shoreline is allocated as areas in which some type shoreline use permit can be issued (See paragraph 10). As a result of this fact and in conjunction with its proximity to multiple metropolitan areas, the Hartwell Project Shoreline Use Permit/License program has grown to be the largest of its kind within the US Army Corps of Engineers nationwide. With the potential to have thousands more permits issued, it becomes even more important to maintain a proper

balance between public and private uses, while maintaining a high quality resource for future generations.

9. Proprietary Jurisdiction. No other Federal agency has land ownership or jurisdiction over the administration of the Hartwell Project Shoreline Management Plan. The US Army Corps of Engineers administers this plan and other applicable Army Regulations on the Hartwell Project. However, Federal, state, and local laws are applicable to all Hartwell Project land and water. While the US Army Corps of Engineers does not have the authority to enforce regulations prepared by other Federal, state, or local agencies which apply to project lands and waters, the US Army Corps of Engineers cooperates with these agencies in their respective enforcement responsibilities specific to project land and water.

10. Shoreline Allocations. To meet the objectives of the Shoreline Management Plan, it is essential to manage (by permit), the type, number and location of private facilities and activities on public land and water. To administer the permit program and ensure a proper balance between authorized purposes, the Hartwell Project shoreline was allocated into four categories defined in a-d below. A master map depicting shoreline allocations is available for viewing at the Operations Project Manager's Office and on-line at www.sas.usace.army.mil/lakes/hartwell. The Hartwell Project has the most liberal zoning plan for the permitting of private facilities and activities of any US Army Corps of Engineers water resources development project nationwide.

a. Limited Development Areas: Approximately 50 percent of the shoreline is allocated under this category and is shown in green on allocation maps. Private docks and certain land-based activities may be authorized in these areas, provided other conditions outlined in this plan are met.

b. Protected Shoreline Areas: Approximately 26 percent of the shoreline is allocated under this category and is shown in yellow on allocation maps. Protected Shoreline Areas reduce conflicts between public and private use and maintain aesthetics, fish and wildlife habitat, cultural or other environmental values. Additionally, shorelines subject to extensive public use are in this category. Docks, improved walkways and utility rights-of-way are prohibited in protected areas unless under the provisions of paragraph 12. A limited amount of underbrushing and bank stabilization efforts can be considered in protected shoreline areas provided such uses do not adversely impact the purposes for which the area was originally designated protected. Walkways and utilities permitted in Protected Shoreline areas prior to 27 June 2006, (the Shoreline Management Plan Draft date) will be honored to current and future owners provided permit conditions are maintained and facilities are actually installed prior to 1 January 2008.

c. Public Recreation Areas: Approximately 24 percent of the shoreline is allocated under this category and is shown in red on allocation maps. These areas are designated for Federal, state, and other public use, including commercial concessions. No private use facilities or activities will be permitted within a designated developed or undeveloped Public Recreation Area (see paragraph 12 for exceptions).

d. Prohibited Access Areas: Less than 1 percent of the shoreline is allocated under this category, which is shown in orange on allocation maps. Prohibited Access Areas are those in which public boating and pedestrian access is not allowed, or is restricted, for safety and/or security reasons. Private use facilities and activities are not permitted within these areas.

e. The allocations outlined above have been established and firmly adhered to for many years. Public Recreation and Protected Shoreline allocations must be preserved to maintain balance between public and private use, to adequately manage for all authorized purposes, and to ensure continued manageability. As demand for recreation areas increase, Public Recreation areas will be available for future recreation development. Some of these areas will remain undeveloped, providing considerable value to the Hartwell Project for current users and future generations. These values include, but are not limited to timber, wildlife, aesthetics, and natural areas for general public uses such as hiking or picnicking. No changes to existing allocations will be considered.

11. Shoreline Use Permit/License (Consolidated Permits).

a. Shoreline Use Permits/Licenses, referred to as Consolidated Permits in this plan, must be obtained prior to the installation/use of any facility and/or the implementation of any action on project land or water. This applies to the issuance of initial permits and the issuance of existing permits to new owners. (See item c. below.) Depending on allocation of adjacent shorelines, Consolidated Permits can be considered for the following: boat docks, underbrushing, utility rights of way, improved walkways and bank stabilization. Consolidated Permits are typically issued for a term of 5 years and contain terms and conditions applicable to all Consolidated Permits issued. Unique circumstances and/or conditions may require additional special terms and conditions on the Permit.

b. Applications for Consolidated Permits on the Hartwell Project are approved or disapproved by the Operations Project Manager. Requests for activities not specifically addressed in this plan will be reviewed by the Operations Project Manager. Should an applicant desire to appeal a decision, the individual should do so in writing through the Operations Project Manager to the District Commander.

c. Issuance of a Consolidated Permit does not convey any property rights or exclusive use rights of public land to the permit holder. Consolidated Permits cannot be transferred from one private party to another. New and prospective adjacent property owners should contact the Operations Project Manager's Office for information concerning permitting procedures. If the property in question has facilities and activities authorized by a previous permit, the new owner is to contact the Operations Project Manager's Office within 14 days of purchase to apply for a new permit. If no permit is obtained, or if the permit cannot be reissued, all previously authorized facilities and activities must be removed and/or discontinued.

d. Fees will be collected for specific permitted facilities and activities prior to issuance of a permit. The fee schedule is available on line at www.sas.usace.army.mil/lakes/hartwell.

e. Consolidated Permits are issued and enforced in accordance with Title 36, Chapter III, Part 327, Code of Federal Regulations. Noncompliance with the terms and conditions, general or special, may result in issuance of a Violation Notice requiring payment of a fine or an appearance before the US Magistrate, termination of the Consolidated Permit, and/or restitution. Noncompliance may also result in a moratorium, preventing the issuance of a new Consolidated Permit until compliance satisfactory to the Operations Project Manager has been achieved. A list of general Consolidated Permit Conditions is included as Exhibit I.

f. A Specified Acts or Letter Permit, issued at the discretion of the Operations Project Manager, is required for any activities not outlined in this plan. Violation of the terms and conditions of such permits may also result in the issuance of a Violation Notice requiring the payment of a fine or appearance before the US Magistrate, and/or revocation of all or part of the Consolidated Permit if applicable. Noncompliance with Specified Acts/Letter Permits may result in a moratorium on public land preventing consideration of a new Consolidated Permit. Length of moratoriums will be determined based on extent of violation.

12. Prior Commitments and Public Law. Docks presently authorized in Protected Shoreline (yellow) or Public Recreation Areas (red) are permitted as Prior Commitments or Public Law protected structures.

a. Individuals who have continuously owned property adjacent to yellow areas and certain designated red areas since before 12 September 1973 (the date the Interim Hartwell Lake Lakeshore Management Plan was approved by the South Atlantic Division and presented to the public as a guide) may qualify for a Consolidated Permit. Prior Commitment docks in compliance with all terms and conditions of the Consolidated Permit can be maintained by the original permittee until transfer of ownership or death of the permittee and his or her legal spouse, at which time such facilities must be removed from the Hartwell Project.

b. Section 1134(d) of Public Law 99-662 prohibits the forced removal of previously authorized docks and appurtenant structures in place on 17 November 1986, provided the conditions below are met. Public Law protected facilities, as originally permitted, can be reissued to new owners. (With the exception of gangwalks, public law protected docks cannot be enlarged.)

(1) Facilities must be maintained in a usable and safe condition at all times.

(2) Such property does not occasion a threat to life or property.

(3) The holder of the Consolidated Permit is in compliance with the terms and conditions of the existing permit.

(4) The above law applies except where deemed necessary for public purposes, higher public use, or for navigation or flood control purposes.

13. Access Requirements. Applicants for a Consolidated Permit must own private property adjacent to public land in fee simple and provide a recorded deed and recorded plat (prepared by a registered surveyor) for the adjacent private property. To be considered for a dock permit, the subject private property must share a common boundary with public property (classified as limited development) for a minimum width of 75 feet and the subject lot must be of a practical design, (i.e., Extremely shallow or narrow lots, known as finger lots, will not qualify for permits). Existing dock permits and permits issued prior to 1 January 2008, will be honored to current and future owners, regardless of lot width, water depth, or off-set locations, provided compliance with permit conditions are maintained. For individuals who own adjacent properties with less than a 75 foot common boundary (within limited development areas) and can provide a legally recorded deed and plat (in their name) dated prior to 27 June 2006, an application for a dock permit will be considered until 1 January 2008, after which such properties will not qualify. (Docks associated with new permits issued during this transition period will be limited in size based on lot widths and will have to meet all other docking criteria.)

a. Lots in limited development areas that share a common boundary of less than 75 feet, but greater than 20 feet, will meet the criteria for consideration of a Consolidated Permit for all facilities/activities except a boat dock. To qualify for consideration of a permit to underbrush within a protected shoreline area, a common boundary of 75 feet (and practical lot design) will be required.

b. If one structure (house, other dwelling, garage, etc.) or other supporting feature (driveway, swimming pool, porches, etc.) occupies more than one identified piece of property, the properties together will be considered one lot and will meet the criteria for consideration of one Consolidated Permit. In the event a structure/feature is built across separate properties for which permits were issued prior to construction of the subject structure/feature, previous permits, as necessary, will be canceled (and associated facilities removed) so only one permit remains for the subject property.

c. For the purpose of placing/establishing permitted facilities/activities, a 90 degree projection will be made from the outside corner pins (typically left and right lot pins as you are looking at the water) to the lake (see Exhibit VII). This is considered the primary frontage of an area and will be used to consider the placement of permitted facilities and activities; it does not constitute any property rights over public land nor prevent the use of the subject area by other adjacent landowners or the public in general. If the 90 degree projection bisects/crosses other frontage areas, previously permitted areas, or private property before it reaches 660 msl, the property will not qualify for shoreline use permits (See Exhibit VII). Prior to the issuance of any initial or re-issue permits, applicants will be required to submit a projection document, completed by a registered surveyor and to a scale of 1 inch equals 100 feet, along with copies of

the deeds and plats. These documents must show the common boundary projections and the existing shoreline at 660 mean sea level. (Exhibit VIII includes projection criteria and examples.) Temporary wooden stakes representing the projections are to be installed just above 660 msl.

d. Public roads do not constitute legal access and cannot be used as access when applying for a Consolidated Permit. However, in situations where a public road is between adjacent private property and public land, the owner would be considered an adjacent landowner to public land. Permits legally issued under previous access criteria will be considered for re-issuance to existing and/or new owners provided docks within limited development areas and walkways/utilities within protected shoreline areas are installed by 1 January 2008. (i.e., If a permit for specific facilities is currently issued to an individual based on the 1998 Hartwell Project Shoreline Management Plan, those facilities must be installed by 1 January 2008, in order for that permit to be re-issued. If facilities are not installed by 1 January 2008, the dock and/or facility portion of those permits will be null and void and will not be re-assignable.) If a permit is issued based on a deed, plat, projection document, or any other document that is later found to be inaccurate or misleading, that permit may be canceled.

14. Private Individual Docks. Docks are issued for the purpose of mooring recreational vessels. Decisions regarding the issuance of a Consolidated Permit for a private individual dock consider many requirements and physical characteristics as explained below. At no time will private docks be used for human habitation. One private dock may be considered for each separate piece of property, as defined in paragraph 13 that an individual owns adjacent to limited development shoreline.

a. Location and Spacing: In most cases, docks will be placed within the primary frontage of a lot as noted in paragraph 13 in a location determined by a Ranger. However, if a dock cannot be placed in this area due to previous permitting actions, deviations (off-sets) to the left or right of the primary frontage may be considered. If site conditions within the primary frontage are not conducive for a dock, including, but not limited to, inadequate water depth, unusual land features, and spacing issues, the property is non-dockable. The location of any new dock must provide at least 50 feet of space between the proposed dock and all other permitted floating facilities and/or boat ramps at normal pool elevation (660 msl) to provide a buffer area for boat maneuverability, water level fluctuations, and public safety. Additional space and/or length restrictions may be imposed due to navigation concerns such as obstruction of channels and/or access to coves and/or existing docks. (See Exhibit IX) Docks must be installed perpendicular to the shoreline, (i.e., The gangwalk must be perpendicular to the shoreline, not angled). In locations where two or more pieces of private property qualify for placement of a dock in the same area but all docks would not meet the spacing requirement, docks will be issued on a first come first served basis. (See Exhibit VII)

b. Water Depth: Low water conditions and potential hazards may exist in some areas due to normal fluctuations in the lake's elevation. If the proposed dock would have at least 4 feet of

water depth at the point where the gangwalk and dock connect, a permit application will be accepted for review. All dock permits are issued in relation to 660 msl. The issuance of a dock permit does not guarantee continual usability of the structure, i.e., drought, high water conditions, siltation, etc. If necessary, during periods of low water, individuals may "chase the water" in an effort to keep their docks afloat, provided such action does not prevent/block access to existing docks or coves. This practice has been allowed in the past, and will continue to be permitted provided this temporary relocation of docks does not create safety hazards, i.e., crowding, crossing over other docks, etc. When lake levels return to normal, individuals are responsible for returning their docks to the permitted locations and removing all temporary anchor pins.

c. Standards for Docks: All plans for new docks and modifications to existing docks, including gangwalks, must be approved by a state licensed structural engineer to ensure a quality, safe design suitable for conditions on the Hartwell Project. There are three methods by which dock plans can be submitted for permit consideration.

(1) Plans.

(a) Dock builders may submit master plans for each type of dock they intend to build, along with a master list of available colors (See section (3) below). These plans must be approved by a state licensed structural engineer. Once approved, these plans will be kept on file at the Operations Project Manager's Office. Dock builders will supply new applicants an 8-½ inch by 11-inch drawing showing the dimensions of the proposed structure, flotation type, gangwalk placement, stair location, a side view showing levels/roof and anchor system. This drawing will include a signed statement that the structure meets or exceeds specifications for dock plans on file for that particular dock company.

(b) In lieu of having dock plans on file for each type dock a company plans to construct, dock builders can join together to form a "Dock Builders' Association" and submit, as a group, minimum dock standards approved by a state licensed structural engineer and accepted by the US Army Corps of Engineers. A master list of available dock colors must also be included. Dock builders choosing this method will also supply new applicants an 8-½ inch by 11-inch drawing showing the dimensions of the proposed structure, flotation type, gangwalk placement, stair location, a side view showing levels/roof and anchor system. This drawing will include a statement that the structure meets or exceeds minimum standards on file for that particular association. By 1 January of each year, associations must have submitted a list of dock companies included in their association and provide updates if new companies join and/or are removed from said association throughout the year. Potential new dock companies can submit plans as noted in (a) above, join an existing dock builders association according to the by-laws of that association or submit standards for a new association. Any new association must consist of at least two dock companies.

(c) If an applicant does not want to contract with a builder with master plans or minimum standards on file, they may submit their own plan provided it is approved by a state licensed structural engineer and accepted by the US Army Corps of Engineers. The proposed color must be included. The applicant will include a statement with the plan certifying that the dock will be built in accordance with the licensed engineer plan.

(d) If an applicant is considering the purchase of a used dock already permitted on Hartwell Lake, they must provide the permit number (to the Operations Project Manager's Office) by which the subject dock was last authorized so that plans for the dock can be reviewed. If dock plans for the subject used dock cannot be located, applicants must submit engineer approved plans for the dock. Docks relocated to new areas must comply with current color and size requirements.

(2) Dock Sizes. The maximum size a private individual dock can be is 1120 square feet provided the associated lot shares a common boundary of at least 75 feet as noted above. Neither the length nor width of the structure can exceed 40 feet. Square footage will be calculated excluding the gangwalk. If the structure has a roof or upper deck, overhangs of up to 24 inches will be allowed. Slip docks are limited to no more than two levels and no portion of the second level can be covered; flat docks are limited to a single level. The minimum size dock allowed is 200 square feet with no one side being less than 10 feet. All dock and gangwalk configurations are subject to approval by the US Army Corps of Engineers. New enclosed structures are not allowed.

(3) Color Restrictions. All new docks (with the exception of all aluminum or similar type construction docks) and roofs must be dark green, black, dark brown, or dark grey.

(4) Standards for Gangwalks. If site conditions permit, and safety considerations allow, docks may be permitted a maximum 60-foot long gangwalk. The minimum length of gangwalk allowed will be 16 feet. Gangwalk width may vary from a minimum of 3 feet to a maximum of 6 feet. The maximum 60-foot gangwalk will not be allowed if:

(a) The total structure (dock and gangwalk combined) will extend beyond one-third the width of a cove at normal pool elevation.

(b) The structure will be closer than 50 feet to a permitted floating facility and/or boat ramp.

(c) The structure will extend into a marked navigational channel, cause a navigational hazard (blind curve, etc.), or block access to coves or other permitted docks. (See Exhibit VIII)

(5) Material. All newly installed flotation will meet the requirements of Consolidated Permit Condition No. 8 as outlined in Exhibit I. All structural material, decking, nails, bolts,

nuts, washers, etc., will be designed for outdoor use. Creosote or penta treated wood is not acceptable.

(6) Anchoring. Docks must be physically anchored to the shore with a gangwalk and an approved cabling system. Typically, cables will be attached to secure anchors above 660 msl elevation. Cables will not be attached to trees or other vegetation.

(7) Time Limits. Approved docks must be installed within 12 months of the permit issuance, and maintained in place thereafter. Permittee must inform their Area Ranger when structure is installed. Failure to install an approved structure within the time limit (and maintain it thereafter) will automatically nullify the dock portion of the permit and negate the availability of another dock being issued to the same owner in association with the subject private property for a 6 month period. (Submitting new plans within the one year time frame will not extend the required installation date.) Permits currently issued for non-existing docks will be honored until 1 January 2008, after which the above action will apply.

(8) Storage Compartments. On docks, storage compartments will be limited to a maximum height of 48 inches on an uncovered dock and to the roof line on a covered dock. Storage compartments where flammable liquids are stored will be ventilated to prevent the accumulation of fumes. Storage boxes may not be used to enclose any portion of a dock.

(9) Standards for Electrical Systems on Boat Docks. A plan must be submitted, prior to beginning any work, showing the proposed location of all electrical installations on the subject dock. All wiring to the dock will be plugged into a ground fault protected receptacle at the power source on shore (light pole). Wiring must be approved for outdoor, wet locations and attached to the gangwalk. Lights and fixtures cannot extend beyond the outer perimeter of a dock structure and all lighting must be of a down lighting design and/or include a "down lighting shield". This will be required for all new permits and for existing permits at change of ownership and/or time of renewal. Down lighting simply means that lights are to be directed toward the ground and include a shield or cover that prevents light from shining outward. The following statement must be included on the plan and signed and dated by the permittee and a state licensed electrician:

"I certify that upon installation of electrical facilities to this structure, all wiring will be ground fault protected and materials, workmanship, and installation methods will meet or exceed the current National Electrical Code Standards and US Army Corps of Engineers' requirements for this type location."

Electrician

Permittee

State License No.

Permit No.

(10) Dock Attachments and Amenities. Attachments such as personal watercraft lifts may be secured to a dock, but will be counted as part of the square footage of the dock structure since these type facilities increase the "footprint" (actual water surface area occupied by the dock structure, including slip area) of the dock. After market attachments that are secured to the landward side of the dock structure, or within the slip of a dock structure, will not be counted as part of the square footage if these locations do not affect the spacing between docks. After market attachments must be approved by the Operation Project Manager prior to installation. Facilities such as slides, diving platforms, and diving boards will no longer be permitted due to safety concerns associated with fluctuating lake levels and possible underwater obstructions and hazards. Such facilities existing on docks can remain until property associated with the subject permit changes ownership. Appliances including, but not limited to, sinks, showers, refrigerators, freezers, stoves, security cameras, satellite dishes, hot tubs, etc., are not permitted on docks (or public land).

15. Community Docks.

a. In an effort to reduce the proliferation of individual dock structures and impacts to public land and to increase recreational opportunities, community docks will be encouraged. Community docks will be considered for standard residential subdivision developments and multi-residential developments such as condominiums, town homes, or other type developments where property adjoining public land is commonly owned by all unit owners.

(1) Community dock sizes will be based on the dockable boundary line (as determined by a Ranger) associated with the development in conjunction with the number of units/lots. Eleven square feet of dock will be considered for every one foot of dockable boundary line, provided the total number of slips does not exceed the total number of units/lots within the development. For example, if a development has 550 feet of common boundary line within a limited development (green) shoreline area and all 550 feet is adjacent to water that meets dock requirements, that development would qualify for consideration of a maximum 6,050 square foot dock (See Exhibit X). More than one dock may be considered per development, but total square footage of the docks combined cannot exceed the maximum square footage for the development. Maximum slip size (water space within the slip) cannot exceed 24 feet wide by 28 feet deep.

(2) Community dock permits will be issued to associations, signed by a designated point of contact and approved based on development plans submitted by the association and accepted by the Operations Project Manager. At a minimum, a standard association agreement, Exhibit XI, will be completed and signed by association representatives to be included as official permit documentation. With the exception of dock size limits, criteria/standards associated with private individual docks (paragraph 14) will apply to community docks.

(3) Developers choosing the community dock option will be required to provide a projection document as outlined in paragraph 13. Typically, the community dock option will not

be considered unless the proposed development has a minimum of five 75 feet wide lots or five practical units. Proposed community docks that involve unusual situations/site conditions with less than 5 lots/units will be reviewed on a case-by-case basis. Once a community dock is established in relation to a development, individual permits will not be issued within that development.

b. To qualify for a residential subdivision community dock, a minimum 15 feet deep fee simple strip of property, owned by the respective association, must border public land for the entire length of subject development (See Exhibit X). For interior lots to be considered for dock use, legal access to the fee simple strip must be shown on development plans.

c. Improved walkways and utilities will be considered for each dock approved. Such facilities will originate from a designated point on private property and extend to a designated point(s) on public land. With the exception that T or Y-type walkways will be considered in the event two docks are issued, walkway and utility criteria noted in paragraph 20 and 19, respectively, will be used in relation to community dock developments.

d. Underbrushing (paragraphs 16 and/or 17) associated with community dock developments will be determined based on accepted development plans and site-specific conditions. Typically, underbrushing areas will be designated adjacent to limited development shoreline only.

16. Underbrushing. Underbrushing is defined as the selective cutting and continuing control of woodland understory vegetation (weeds, vines, briars, etc.) and the thinning of tree seedlings, as approved by the Operations Project Manager. Underbrushing public property in accordance with existing permits may be allowed to continue until a change of permittee occurs, at which time the permit for removal of underbrush is subject to the following requirements:

a. The area to be underbrushed is limited to the applicant's adjacent lot frontage, up to a maximum of 50 feet in Protected Shoreline Areas and 100 feet in Limited Development Areas. With the exception of native ornamentals, including dogwood, holly, redbud, wild azalea, mountain laurel, rhododendron, magnolia, etc., designated underbrushing is limited to vegetation measuring less than 4 inches in diameter at ground level. Under no circumstances will vegetation over 4 inches in diameter at ground level, or native ornamental trees and shrubs, be cut without the prior approval of the Operations Project Manager. Once underbrushing is completed, the area should still be "wooded" with trees established to a maximum spacing of 18 feet on center.

(1) If cutting all underbrush material (within an authorized underbrush area) would create open areas where trees are not maintained at the 18 foot spacing, then enough existing smaller trees (measuring less than 4 inches in diameter) must be left undisturbed to meet the required spacing. Planting of native trees and/or natural regeneration may also be required to establish the proper spacing. Limbs on trees in the underbrush area may be pruned up to one-

third the height of the tree, or 18 feet, whichever is less. Vegetation cut from an approved underbrush area can be removed from public land to private property or burned on the exposed lakebed in accordance with item c. below. It cannot be chipped and dispersed onto public land unless chips are to be used within an improved walkway. It cannot be placed in front of another persons primary frontage area.

(2) The establishment of grass lawns, flowerbeds, other landscaping activities or the placement of personal items that create the appearance of private ownership and control of public land are not allowed. The removal of natural ground litter (by raking, blowing, bagging, etc.) such as pine straw and/or leaves is also prohibited. Permitted facilities, i.e., utility rights of way, improved walkways, etc., will be located within the designated underbrush area unless site conditions, as determined by Ranger, dictate otherwise.

(3) Remaining public land outside the underbrush area will be designated as undisturbed natural areas to provide a separation buffer from private development and to enhance wildlife habitat. The maintenance of adequate shoreline vegetation serves many functions in protecting the Hartwell resource as outlined in Exhibit II. Violations of the underbrushing requirements may result in the issuance of a Violation Notice requiring the payment of a fine or appearance before the US Magistrate, revocation of all or part of the Consolidated Permit, and/or may result in a moratorium on public land preventing consideration of any new Consolidated Permits until the affected area regenerates to a condition satisfactory to the Operations Project Manager.

b. Underbrushing will be accomplished by using hand tools that allow the operator to selectively remove vegetation approved by the Consolidated Permit. Acceptable tools include, but are not limited to, chain saws and weed trimmers. Dead or diseased trees may be cut only after they are inspected and marked for removal by a Ranger. Herbicide cannot be used to establish/maintain standard underbrush areas.

c. Burning on the exposed lake-bed is permitted only to those individuals with a valid underbrush permit. Burning is restricted to the exposed lake bottom below 660 msl elevation. During periods of normal or high lake levels (660 msl elevation or above), burning is prohibited. Materials to be burned are limited to underbrush material taken from public land. Any burning must be coordinated with the local fire agency and be in accordance with applicable state and local laws.

17. Regeneration of Open Areas.

a. Modification of public land by an adjacent property owner through additional plantings must be in accordance with an approved, detailed planting plan. Planting plans must use only those plants included on the approved plant list enclosed as Exhibit III and be approved by the Operations Project Manager prior to planting.

b. Open areas are defined as those areas of public land where a natural mixture of native trees do not exist at a maximum spacing of 18 feet on center. These areas include established grassed areas which were permitted in the past, open areas created by the approved removal of trees, open areas created by unauthorized activities, and areas in general not meeting the required spacing.

c. Upon discovery of open areas that have never been permitted, a plan for replanting the area will be implemented by the US Army Corps of Engineers and adjacent property owner at the earliest opportunity. Grassed areas that have been maintained through the years in conjunction with a valid Consolidated Permit are allowed to remain until the adjacent private property changes ownership and/or the Consolidated Permit becomes null and void. At such time, the US Army Corps of Engineers will initiate a plan, in cooperation with the new landowner, to replant the area in a mixture of native trees.

(1) The US Army Corps of Engineers will replant the entire open area (upon availability of funds) with native tree seedlings at a minimum of 18 feet on center or allow the new permittee to plant the area in accordance with an approved planting plan. The permittee will be allowed to underbrush/mow around planted seedlings within their standard underbrush limits pending survival of the seedlings. Areas of public land adjacent to their private property and outside the limits of the identified underbrush area will be designated as natural areas for purposes noted in 17(a) above. If planted seedlings within the underbrush area do not survive, or if natural areas are not left undisturbed, underbrushing privileges will be limited to a 10 feet wide path until the area naturally regenerates to a condition satisfactory to the Operations Project Manager.

(2) Regeneration areas planted and maintained under the 1989 or 1998 Shoreline Management Plans will be honored for the term indicated by the respective permit condition. Regeneration areas planted under these plans but not maintained will be subject to the natural regeneration process noted above.

d. Non-grassed open areas, as noted in item (b.) above, will be re-vegetated as needed based on site-specific conditions and circumstances. Re-vegetation will be by natural regeneration, US Army Corps of Engineers planting, permittee planting, or any combination thereof.

18. Roads, Ramps, Turnarounds, and Other Facilities. The construction of new roads, ramps, turnarounds, land-based boathouses, marine ways, fixed gangwalks, pump houses, picnic shelters, and patios has been prohibited for many years. Existing permits for these items are "Public Law" protected. (See paragraph 12.) Existing roads and turnarounds may be repaired to the original dimensions and with the same material as originally permitted. Launching ramps must maintain the same width and material, but can be extended during low water conditions in accordance with an approved request.

19. Utility Rights-of-Way. To minimize adverse effects on public property, and for safety reasons, all permitted utilities must be located underground with the location of the right-of-way designated on the Consolidated Permit. Installation of utility rights-of-way is limited to the use of a walk behind trencher. Requirements for utilities are as follows:

a. All wiring must meet the requirements of the current National Electrical Code and the US Army Corps of Engineers. The US Army Corps of Engineers requires that all wiring on public land be protected by a ground fault circuit interrupter. One minimum 4 inch by 4 inch treated lumber, non-decorative light pole will be allowed per every 100 feet between 661 msl elevation and the Hartwell Project boundary line. If a location qualifies for more than one pole, the poles will be located at least 100 feet apart along the approved pathway or improved walkway. Landscape lighting is prohibited. Poles are limited to 15 feet in height and must be placed at 661 msl elevation or above. Lighting on authorized poles must be of a down lighting design and/or include a "down lighting shield". This will be required for all new permits and for existing permits at change of ownership or time of renewal. Down lighting simply means that lights are to be directed toward the ground and include a shield or cover that prevents light from shining outward. Existing light poles will be permitted, but lights must be modified to meet down lighting requirements as noted above. All above ground wiring on public land must be in approved electrical conduit and receptacles on the light pole must be located at 666 msl elevation or higher. The permittee and/or a state licensed electrician is required to certify that all materials, workmanship, and wiring methods on the installation from the property line to the light pole(s) meet requirements outlined here and shown on Exhibit IV. Any electrical installations from the power source on shore (light pole) to a boat dock must be certified by a state licensed electrician as outlined in paragraph 14c(9).

b. Individual potable water intakes are not authorized. Non-potable intakes may be authorized with no lines installed underground below the normal pool elevation of 660 msl. The waterlines and intake will be attached to the dock. At locations where a dock is not authorized and utilities were issued under previous plans, the permanent underground waterlines will terminate at 660 msl elevation or above. An extension may be attached during pumping, but must be removed when not in use. Pumps must be located on docks or on private land. Temporary waterlines may be authorized by a Specified Acts Permit issued through the Operations Project Manager for a period not to exceed 120 days. An underground potable waterline extending from private land to a single, above ground spigot on public land may be permitted. Additional spigots may be installed on the dock, but sinks and showerheads are prohibited.

20. Improved Walkways.

a. Improved walkways to the shoreline or dock location may be authorized to a maximum width of 6 feet. Based on site conditions, improved walkways may be constructed of crushed stone, wood chips, stepping stones, treated wood, concrete, asphalt, mortared rock, brick or other similar materials. Concrete or asphalt must not exceed 4 inches in thickness. Concrete must be

colored by dye/stain to shades of dark green, black, brown, dark tan, and dark grey. This will be required for all new permits and for existing permits at change of ownership and time of renewal. All walkways must conform to the existing topography and be installed on grade. Cutting and filling is prohibited. Only hand tools such as shovels, picks, or rakes can be used for walkway preparation and installation. If needed due to rough terrain (terraces, low areas, etc.), treated lumber walkways may be elevated, provided the top of the walking surface does not exceed 24 inches above ground level at any point along the walkway. Walkways are authorized to allow for safe access to the shoreline and/or dock, not as patios or decks. The construction of stand-alone walkway sections, turn-outs on walkways not functional for cart use, or excessive "gangwalk anchor pads" is prohibited. Walkways that do not access the dock or shoreline directly, or are T-shaped, Y-shaped, or consist of more than one walkway will not be permitted. Regardless of material, walkways exceeding width/height maximums will have to be reduced/shortened. Golf carts and similar type vehicles can only be used in conjunction with walkways designed for such use. Cart path turn-outs are to be installed perpendicular to walkways as shown on walkway certification agreements. (See Exhibit V) Requests for cart paths not conducive for golf cart or similar type use will be denied. Pedestrian or wheel chair access may be considered for such areas.

b. Footbridges with handrails, constructed to a maximum 6-foot width, may be authorized for access across larger drainage ditches and low areas on public land. Engineer certification may be required on footbridge plans. Footbridges may not extend below or cross over 660 msl elevation, and all materials must be treated for ground contact.

c. Handrails may be approved along pathways or improved walkways only, and must be constructed of rigid materials that provide adequate support, i.e., wood or metal. Handrails which are strictly decorative are not allowed, i.e., rope handrails. All approved handrails must include 3-foot breaks at various points to provide for lateral pedestrian access.

21. Erosion Control. When an erosion problem originates on private property and extends onto public land, corrective action on private property must be taken to prevent further erosion of public land. Failure to prevent silt from extending from private property to public land, during construction or any other time, may result in the issuance of citations, the required removal of silt, the non-issuance of shoreline use permits, and/or the cancellation of all or part of existing shoreline use permits. When use of a natural pathway is creating the erosion problem, the pathway will be relocated to another area of less impact or improvements to the walkway will be required. Permission may be granted to undertake activities designed to prevent erosion on public land if the erosion is originating on public land. These activities include planting native trees and/or shrubs or placing rocks or similar materials to disperse the flow of water. Plans for erosion prevention, describing tools and type of materials to be used, must be approved by the Operations Project Manager and included as part of the Consolidated Permit. (See paragraph 22 b. below concerning bank stabilization.)

22. Activities in Waters of the United States, Below 660 msl (Normal Pool Elevation).

a. Silt removal for the benefit of private exclusive use will typically not be allowed. Water wetland transition areas provide habitat for wildlife feeding and nesting as well as fish spawning and nursery areas, and silt removal may impact these areas. Additionally, access across public lands adversely impacts valuable wildlife and results in resource degradation. Limited removal of accumulated silt material will be considered by the Operations Project Manager's Office only if practical access to the site is available, as determined by a Ranger. Application forms may be obtained from the Operations Project Manager's Office and must be submitted for review and approval, prior to initiating work. All silt removal activities below 660 msl also require authorization pursuant to Section 10 of the Rivers and Harbors Act (RHA) and/or Section 404 of the Clean Water (CWA). Only after a silt removal project is approved by the Operations Project Manager's Office will RHA and/or CWA authorization be considered.

b. All shoreline protection activities must be reviewed by the Operations Project Manager's Office. These activities include retaining walls, riprap, and bioengineering methods. Methods that provide additional aquatic habitat, such as riprap and bioengineering, are preferred. Application forms for riprap and retaining walls may be obtained from the Operations Project Manager's Office. Some unique designs may require certification by a state licensed engineer. Bioengineering proposals must be submitted by the requesting party and include detailed plans. All bank stabilization proposals must be approved by the Operations Project Manager. All shoreline protection activities below 660 msl also require authorization pursuant to Section 10 of the Rivers and Harbors Act (RHA) and/or Section 404 of the Clean Water (CWA). Only after a shoreline protection project is approved by the Operations Project Manager's Office will RHA and/or CWA authorization be considered.

c. Only after the Operations Project Manager Office has approved a proposal for silt removal, bank stabilization or other work in any wetlands, stream or other waters of the United States that are located within the Hartwell Project, will a permit application be accepted by the Savannah District Regulatory Division for processing pursuant to the Regulatory Programs of the US Army Corps of Engineers (33 Code of Federal Regulation, Parts 320 through 330). All work in waters of the United States located within the Hartwell Project must receive prior Department of the Army authorization. Contact the Operations Project Manager's Office for information on permit processing procedures for projects located on Hartwell Project.

23. Equipment Use. The use of motorized equipment on public land is prohibited unless in compliance with Specified Acts/Letter Permits or other site specific permits. Unauthorized use of equipment resulting in damage to public land may result in the issuance of citations, permit cancellations, non-issuance of permits, moratoriums, or any combination thereof. Permittees and contractors will be held responsible for damage to public land resulting from unauthorized equipment use.

24. Facility Maintenance and Permit Issuance. Permitted facilities must be operated, used and maintained by the permittee in a safe, healthful condition. If determined unsafe, such facilities will be corrected within 30 days, or removed, at the owner's expense. A new Consolidated Permit can be considered when the current Consolidated Permit expires or when ownership of the adjacent private property, to which a Consolidated Permit is assigned, changes. (See paragraph 12 for exceptions.) An administrative charge will be collected in advance at the time of permit issuance. Permit issuance requires the applicant to certify in writing that all permitted facilities and activities are, and will be maintained, in accordance with the Consolidated Permit Conditions as outlined in Exhibit I. Random field inspections will be conducted by US Army Corps of Engineers' personnel to verify compliance. Violations of the terms and conditions of the Consolidated Permit and/or actions inconsistent with Title 36, Code of Federal Regulations, may result in the issuance of a Violation Notice requiring the payment of a fine or an appearance before the US Magistrate, restitution, revocation of all or part of the Consolidated Permit and/or may result in a moratorium on public land preventing consideration of any new Consolidated Permits until compliance and/or restoration has been achieved to a condition satisfactory to the Operations Project Manager.

25. Shoreline Tie-Up. Historically, temporary shoreline tie-up was defined as the moorage of private boats along the shoreline (excluding Prohibited Access Areas, paragraph 10d) for the period of time that the boat was actively being used in recreational pursuits. Due to increased development and use of Hartwell Lake and conflicts that have arisen, shoreline tie-up, as described above, is prohibited. This does not prevent the tying of a boat to the shoreline during day outings, overnight island camping or developed campground camping, but does prohibit the continued mooring of a boat to the shoreline for any extended amount of time. Permanent mooring devices such as posts, stationary platforms, etc., are prohibited. In accordance with Title 36, Code of Federal Regulations boats are to be moored at designated locations only. Permitted floating facilities (individual/community docks, mooring buoys) and commercial marinas are designated for boat moorage on Hartwell Lake.

26. Boundary Line and Encroachments.

a. The Hartwell Project boundary line, established and marked by the US Army Corps of Engineers in accordance with standard survey techniques, include painted hacks and blazes on witness trees as detailed in Exhibit VI. In open areas where the distance between corners is such that monuments or pins are not visible, posts with signs may be placed by the US Army Corps of Engineers to witness the line.

b. The US Army Corps of Engineers maintains a boundary line program in which the line is brushed out and repainted every 3 to 5 years. The painted trees do not represent the exact line, but rather indicate the proximity of the government line. It is the responsibility of the adjacent landowner to identify his/her property line. The US Army Corps of Engineers will provide information concerning the boundary line, if needed, to assist with any surveys. Any discrepancies identified by a survey should be resolved with the Operations Project Manager.

c. Other than pedestrian access or general public recreational activities, any activity on public property not covered by a Consolidated Permit or a Specified Acts/Letter Permit will be considered an encroachment or degradation of public property and a violation of Title 36, Chapter III, Part 327, Code of Federal Regulations. Examples of degradation include, but are not limited to: motorized vehicle operation, burning, tree cutting, the placement of debris or fill dirt, dog pens, swings, and other structures. Violations of this nature will result in removal, restitution, and/or issuance of a Violation Notice requiring the payment of a fine or an appearance before the US Magistrate and/or may result in a moratorium on public land preventing the issuance of new Consolidated Permits until the affected area regenerates to a condition satisfactory to the Operations Project Manager. Examples of encroachments include, but are not limited to, patios, decks, roof overhangs, pools, sheds, houses, etc. Initial Consolidated Permits will not be considered until identified encroachments are resolved. The re-issuance of existing permits to the same and/or new owner will be delayed and/or denied pending an encroachment resolution plan and time line. In some cases, permits may be issued for terms less than 5 years in an effort to provide time for landowners to correct encroachments. If encroachments are not corrected within the term of such permits, the permit will not be re-issued and all previously authorized facilities/activities will have to be removed from public land. If corrections are made within the permit term (and permit has been maintained in compliance with all other permit conditions), the permit will be re-issued for a full 5-year term but processing and Consolidated Permit fees will apply. When all efforts at the project level fail to secure voluntary removal of an encroachment by the encroaching party, the case will be submitted to Real Estate Division for possible referral by Office of Counsel to the US Attorney for civil action.

27. Liability. The US Army Corps of Engineers assumes no liability or responsibility for the safety of individuals using any facility authorized by a Consolidated Permit or engaged in any activity authorized by a Consolidated Permit on public land. The permittee assumes full liability and responsibility for the safe conduct of the activity and, in regards to facilities, must certify the safety of the structure(s) and any associated electrical wiring. Random inspections by US Army Corps of Engineers personnel will be made to promote public safety. By making such inspections, the US Army Corps of Engineers assumes no liability or responsibility for any accident associated with the facility.

28. Government Access Across Private Property. A valid Consolidated Permit, Specified Acts Permit or Letter Permit constitutes approval by the permittee for Government personnel on official business to cross their private property to gain access to public property. Purposes for access include determination of compliance with permit terms and conditions.

29. Conclusion.

a. It is the intent of the Hartwell Project Shoreline Management Plan to provide optimum recreational benefits to the public and to integrate those needs with the physical limitations and natural environmental qualities of the lake and surrounding public lands. In developing the

plan, both present and future recreational needs, as well as protection of the resource were considered. As presented, the Hartwell Project Shoreline Management Plan is, and will continue to be, a flexible and working document. Hartwell Project personnel will continually monitor the needs of all project users and recommend revisions to minimize conflicts between various interests. In advance of recommending any major revision to this plan, additional public meetings will be held as required by the Shoreline Management at Civil Works Projects, ER 1130-2-406, dated 31 October 1990. Subsequently, the plan will periodically be re-evaluated, revised, and submitted to higher authority for approval.

b. Hartwell Project personnel are available to address any questions concerning the policies outlined in this plan. The Operations Project Manager's Office is located 1 mile south of the Hartwell Dam on US Highway 29 and contains displays depicting on a larger scale the shoreline allocation areas outlined in paragraph 10 of this plan. Further information may be obtained by calling the Hartwell Operations Project Manager's Office locally at (706) 856-0300 or toll free at (888)893-0678. This plan is also available at www.sas.usace.army.mil/lakes/hartwell.

11 Encls
Exhibits I-XI

Mark S. Held

MARK S. HELD
Colonel, EN
Commanding

EXHIBIT I

Consolidated Permit Conditions

This Consolidated Permit is granted subject to the following conditions:

1. The grantee shall pay, in advance, to the United States, compensation in accordance with the fee schedule.
2. The exercise of the privileges hereby granted shall be without cost or expense to the United States, under the general supervision and approval of the officer having immediate jurisdiction over the property, hereinafter referred to as "said officer," subject to such regulations as may be prescribed by him from time to time, and is subject to the Government's navigation servitude, to rules published in Title 36 Code of Federal Regulations, Part 327, and to all applicable Federal, state and local laws and regulations.
3. Any property of the United States damaged or destroyed by the grantee incidental to the exercise of the privileges herein granted shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer, or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damage to or destruction of Government property.
4. The grantee agrees to and does hereby release and agree to save and hold the Government harmless from any and all causes of action, suits at law or equity, or claims or demands or from any liability of any nature whatsoever for or on account of any damages to persons or property, including the approved facility, growing out of the ownership, construction, operation or maintenance by the grantee of the approved facilities. The Government shall in no case be liable for any damage or injury to the approved facility which may be caused by or result from subsequent operations undertaken by the Government for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage.
5. Should the grantee cease to operate and/or maintain the approved facility, or upon expiration or revocation of this Consolidated Permit, the grantee shall remove his facility within 30 days, at his expense, and restore the water and land area to its former condition. If the grantee fails to remove and restore the premises to the satisfaction of the said officer, the said officer may do so by contract or otherwise and recover the cost thereof from the grantee.
6. This Consolidated Permit may be terminated by the grantee at any time by giving to the Secretary of the Army, through the said officer, at least 10 days notice in writing, provided that, in case of such termination, no refund by the United States of any fee theretofore paid shall be made.

7. No attempt shall be made by the grantee to forbid the full and free use by the public of all navigable waters or Government-owned shoreline at or adjacent to the approved facility.

8. Floats and flotation material for all docks and boat mooring buoys shall be fabricated of materials manufactured for marine use. The float and its flotation material shall be 100 percent warranted for a minimum of 8 years against sinking, becoming waterlogged, cracking, peeling, fragmenting, or losing beads. All floats shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. All floats and the flotation material used in them shall be fire resistant. Any float which is within 40 feet of a line carrying fuel shall be 100 percent impervious to water and fuel. The use of new or recycled plastic or metal drums or non-compartmentalized air containers for encasement or floats is prohibited. Existing floats are authorized until it or its flotation material is no longer serviceable, at which time it shall be replaced with a float that meets the conditions listed above. For any floats installed after 28 May 1999, repair or replacement shall be required when it or its flotation material no longer performs its designated function or it fails to meet the specifications for which it was originally warranted.

9. Structures are subject to periodic inspection by US Army Corps of Engineers rangers. If an inspection reveals conditions which make the facility unsafe in any way or conditions which deviate from the approved plans, such conditions will be corrected immediately by the owner upon receipt of notification. No deviation or changes from approved plans will be permitted without prior written approval of the said officer.

10. The grantee agrees that if subsequent operations by the Government require an alteration in the location of the facility or, if in the opinion of the said officer, the facility shall cause unreasonable obstruction to navigation or that the public interest so required, the grantee shall, upon written notice from the said officer, remove, alter, or relocate the facility, without expense to the Government.

11. No improvement authorized is to be used for human habitation. Household furnishings are not permitted on boat piers, boathouses, or other structures. No houseboat, cabin cruiser or other vessel shall be used for human habitation at a fixed or permanent mooring point.

12. No charge may be made for use by others of the facility nor shall commercial activities be conducted thereon.

13. The display tag provided for permitted items shall be posted on the facility or on the land areas covered by the Consolidated Permit so that it can be visually checked with ease in accordance with instructions of the said officer.

14. No vegetation other than that prescribed may be damaged, destroyed or removed. No change in landform such as grading, excavation or filling may be done. No vegetation planting of any kind may be done, other than that specifically prescribed.

15. This Consolidated Permit is nontransferable. Upon the sale or other transfer of the facility or upon the death of the grantee, this instrument is null and void. Grantee agrees to contact the Natural Resources Manager's Office upon sale or transfer of property adjoining public lands or upon a change of permanent address or phone number.

16. The grantee agrees that he will complete the facility construction within one year of the Consolidated Permit issue date. The instrument shall become null and void if the construction is not completed within that period. Further, the grantee agrees that he will operate and maintain the facility in a manner so as to minimize any adverse impact on fish and wildlife habitat, natural environmental values and in a manner so as to minimize the degradation of water quality.

17. By 30 day written notice, mailed to the grantee by registered or certified mail, the District Commander or his authorized representative, may revoke this instrument whenever he determines that the public interest necessitates such revocation or when he determines that the grantee has failed to comply with the conditions of this instrument. The revocation notice shall specify the reasons for such action. If within the 30-day period, the grantee, in writing requests a hearing, the District Commander shall grant such hearing at the earliest opportunity. In no event shall the hearing date exceed 60 days from the date of the hearing request. At the conclusion of such hearing, the District Commander shall render a final decision in writing and mail such decision to the grantee by registered or certified mail. The grantee may, within 5 days of receipt of the decision of the District Commander appeal such decision to the Division Commander. The decision of the Division Commander shall be rendered as expeditiously as possible and shall be sent to the grantee by registered or certified mail. The grantee may, within 5 days of receipt of the decision of the Division Commander, appeal such decision in writing to the Chief of Engineers. The decision of the Chief of Engineers shall be final from which no further appeal may be taken.

18. Notwithstanding condition 17 above, if, in the opinion of the Commander, emergency circumstances dictate otherwise, the Commander may summarily revoke this instrument.

EXHIBIT II

The Value of Shoreline Vegetation

Shoreline vegetation is extremely important because of the many functions it serves, a few of which are outlined below. To maintain a quality resource, sound management is necessary to protect and preserve a healthy vegetative buffer adjacent to water bodies such as Hartwell Lake.

1. Shoreline Stabilization and Water Quality Protection.

a. The roots of trees and shrubs along the shoreline help hold soils in place, preventing erosion. The layers of vegetation present in a natural shoreline provide multiple layers of protection for the soil from the adverse impacts of hard rainfalls by slowing the velocity of the raindrops, resulting in less impact force when they strike the ground. The resulting slower rainfalls result in less granulation of the soil and less movement of soil particles off site (erosion). The loss of soil nutrients is high in erosion, as the finer grained particles, which are the first to be washed away, are also the highest in fertility. The more small soil particles preserved by a protective buffer of shoreline vegetation, the higher the soil fertility.

b. Shoreline vegetation also traps sediment and pollutants, helping keep the water clean. Vegetative buffers provide an area where chemicals, pesticides, and fertilizers can decompose, rather than placing a load on the water body. Toxic pesticides are converted to non-toxic forms through biodegradation which occurs in the vegetative buffer. Nitrogen applied as fertilizer can be converted into organic matter, and later decomposed and released into the air, rather than flowing directly into the lake resulting in adverse effects to water quality.

2. Thermal Cover and Temperature Moderation. A vegetative buffer shields a water body from summer temperature extremes, thus moderating the temperature of the water body. The cover of leaves and branches brings welcome shade, which provides a cooler area for aquatic life. Cooler areas hold more dissolved oxygen, which fish need to breathe. Shoreline vegetation also provides an area of filtration of storm water runoff, thereby increasing recharge of ground water. Later releases of flow from ground water to the lake occurs on a gradual basis and is cooler than overland flows. The entry of this cooler water into the lake also helps to moderate the water temperature, making it less stressful to aquatic life.

3. Wildlife Habitat and Food Chain Support. Many wildlife species use shoreline areas during all or part of their life cycle. Shoreline vegetation provides food, cover, nesting, and sanctuary for these animals. For example, 80 percent of the bird population around Hartwell Lake nests within 15 feet of the ground, making underbrush vitally important to their survival. These vegetative buffers also form the foundation of the wildlife food chain by providing a basic food source for insects and smaller birds and animals.

DP 1130-2-18
Exhibit II
30 January 2007

In addition to the above justifications for maintaining a healthy vegetative buffer around the Hartwell Project, shoreline vegetation is essential for maintaining the natural beauty of the lake and adding to aesthetic enjoyment. The US Army Corps of Engineers is committed to protecting and preserving the shoreline vegetation at Hartwell Lake to ensure resource protection and enjoyment for future generations.

Exhibit III Approved Plant List

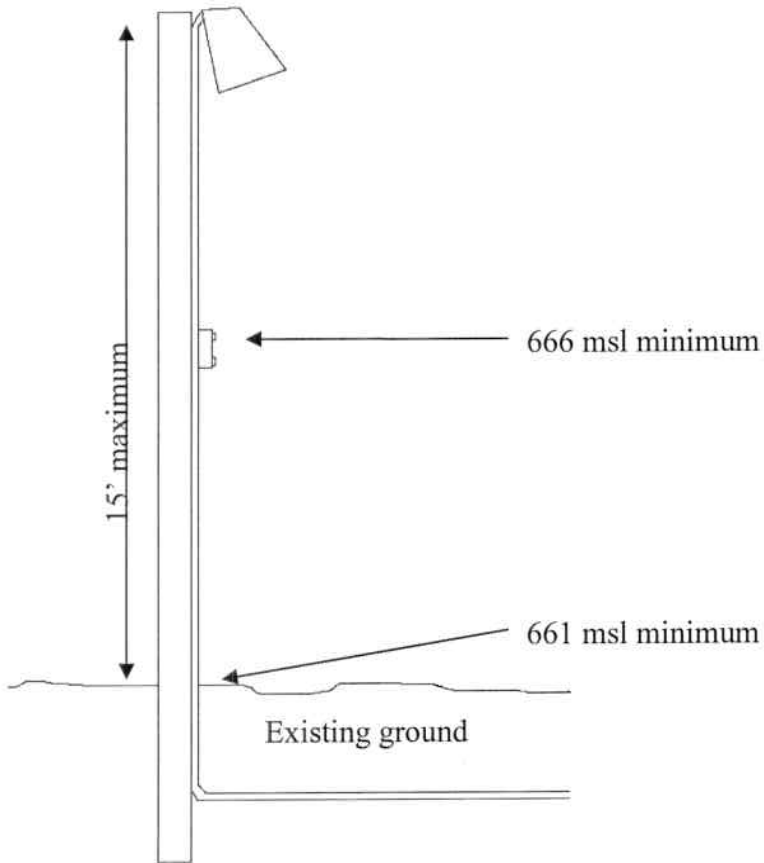
Native plants for the shoreline zone located "below" the rip-rap (zone of greatest periodic inundation)				
			Common Nursery Plant	Native plant Nursery
Zone below rip-rap (continuous inundation)				
Bald Cypress	<i>Taxodium distichium</i>	tree	yes	
Water Tupelo	<i>Nyssa aquatica</i>	tree		yes
Overcup Oak	<i>Quercus lyrata</i>	tree	yes	
Button bush	<i>Cephalanthus occidentalis</i>	shrub		yes
Maidencane	<i>Panicum hemitomon</i>	grass		yes
Water willow	<i>Justicia americana</i>	herb		yes
Native plants that can be seasonally inundated (grow within rip-rap)				
			Common Nursery Plant	Native plant Nursery
Black willow	<i>Salix nigra</i>	tree		yes
Red Maple	<i>Acer rubrum</i>	tree	yes	
Tag Alder	<i>Alnus serrulata</i>	shrub/tree		yes
River Birch	<i>Betula nigra</i>	tree	yes	
Persimmon	<i>Diospyros virginiana</i>	tree		yes
Silky dogwood	<i>Cornus amomium</i>	shrub/tree		yes
Summersweet	<i>Clethra alnifolia</i>	shrub	yes	
Titi	<i>Cyrilla racemiflora</i>	shrub		yes
Scarlet mallow	<i>Hibiscus coccineus</i>	shrub		yes
Rose mallow	<i>Hibiscus lasiocarpus</i>	shrub		yes
Halberd-leaf mallow	<i>Hibiscus militaris</i>	shrub		yes
Swamp Rose mallow	<i>Hibiscus moucheutos</i>	shrub		yes
Virginia willow	<i>Itea virginica</i>	shrub	yes	
common rush	<i>Juncus effusus</i>	grass-like	yes	
Maidencane	<i>Panicum hemitomon</i>	grass		yes
Switchgrass	<i>Panicum virgatum</i>	grass	yes	
Cordgrass	<i>Spartina patens</i>	grass-like		yes
Prairie cordgrass	<i>Spartina pectinata</i>	grass-like		yes
Native plants for the splash zone (moist soil; usually not eroded)				
			Common Nursery Plant	Native plant Nursery
Boxelder	<i>Acer negundo</i>	tree		yes
Red maple	<i>Acer rubrum</i>	tree	yes	
Chalk maple	<i>Acer leucoderma</i>	tree	yes	
Tag alder	<i>Alnus serrulata</i>	tree/shrub		yes

River Birch	<i>Betula nigra</i>	tree	yes	
Atlantic white cedar	<i>Chamaecyparis thyoides</i>	tree	yes	
Silky dogwood	<i>Cornus amomum</i>	tree/shrub		yes
Persimmon	<i>Diospyros virginica</i>	tree		yes
Carolina silverbell	<i>Halesia tetraptera</i>	tree/shrub	yes	
Overcup oak	<i>Quercus lyrata</i>	tree	yes	
Water oak	<i>Quercus nigra</i>	tree	yes	
Pin oak	<i>Quercus phellos</i>	tree	yes	
Black willow	<i>Salix nigra</i>	tree		yes
Bald cypress	<i>Taxodium distichium</i>	tree	yes	
Button bush	<i>Cephalanthus occidentalis</i>	shrub		yes
Summer sweet	<i>Clethra alnifolia</i>	shrub	yes	
native mallows	<i>Hibiscus spp</i>	shrub		yes
Wax myrtle	<i>Myrica cerifera</i>	shrub	yes	
Elderberry	<i>Sambucus canadensis</i>	shrub		yes
Common rush	<i>Juncus effusus</i>	grass-like	yes	
Maidencane	<i>Panicum hemitomon</i>	grass		yes
Switchgrass	<i>Panicum virgatum</i>	grass	yes	
Cordgrass	<i>Spartina patens</i>	grass-like		yes
Prairie cordgrass	<i>Spartina pectinata</i>	grass-like		yes
Native trees for the UPLAND (soils not influenced by lake level)				
			Common	Native plant
			Nursery	Plant
		Trees for canopy	Plant	Nursery
Loblolly bay	<i>Gordonia lasianthus</i>	evergree tree >50 feet	yes	
American holly	<i>Ilex opaca</i>	evergree tree >50 feet	yes	
Eastern red cedar	<i>Juniperus virginiana</i>	evergree tree >50 feet	yes	
Southern magnolia	<i>Magnolia grandiflora</i>	evergree tree >50 feet	yes	
Shortleaf pine	<i>Pinus echinata</i>	evergree tree >50 feet	yes	
Loblolly pine	<i>Pinus taedaq</i>	evergree tree >50 feet	yes	
Virginia pine	<i>Pinus virginiana</i>	evergree tree >50 feet	yes	
Eastern hemlock	<i>Tsuga canadensis</i>	evergree tree >50 feet	yes	
Southern sugar maple	<i>Acer barbatum</i>	deciduous tree >50 feet	yes	
Red maple	<i>Acer rubrum</i>	deciduous tree >50 feet	yes	
River birch	<i>Betula nigra</i>	deciduous tree >50 feet	yes	
Shagbark hickory	<i>Carya ovata</i>	deciduous tree >50 feet	yes	
Beech	<i>Fagus grandifolia</i>	deciduous tree >50 feet	yes	
White ash	<i>Fraxinus americana</i>	deciduous tree >50 feet	yes	
Sweetgum	<i>Liquidambar styraciflua</i>	deciduous tree >50 feet	yes	
Tulip poplar	<i>Liriodendron tulipifera</i>	deciduous tree >50 feet	yes	
Cucumbertree	<i>Magnolia acuminata</i>	deciduous tree >50 feet	yes	
Sweet swampbay	<i>Magnolia virginiana</i>	deciduous tree >50 feet	yes	
Blackgum	<i>Nyssa sylvatica var sylvatica</i>	deciduous tree >50 feet	yes	

White oak	<i>Quercus alba</i>	deciduous tree >50 feet	yes	
Southern red oak	<i>Quercus falcata</i>	deciduous tree >50 feet	yes	
Swamp chestnut oak	<i>Quercus michauxii</i>	deciduous tree >50 feet	yes	
Willow oak	<i>Quercus phellos</i>	deciduous tree >50 feet	yes	
Shumard red oak	<i>Quercus shumardii</i>	deciduous tree >50 feet	yes	
Post oak	<i>Quercus stellata</i>	deciduous tree >50 feet	yes	
Black oak	<i>Quercus velutina</i>	deciduous tree >50 feet	yes	
Bald cypress	<i>taxodium distichum</i>	deciduous tree >50 feet	yes	
Basswood	<i>Tilia americana</i>	deciduous tree >50 feet	yes	
Native understory plants for the UPLAND (soils not influenced by lake level)				
			Common	Native plant
			Nursery	Nursery
			Plant	Nursery
Chalk maple	<i>Acer leucoderma</i>	tree about 15 feet	yes	
Red buckeye	<i>Aesculus pavia</i>	shrub less than 15 feet	yes	
Hazel alder	<i>Alnus serrulata</i>	tree/shrub about 15 feet		yes
Serviceberry	<i>Amelanchier arborea</i>	tree about 15 feet	yes	
Devil's walkingstick	<i>Aralia spinosa</i>	shrub less than 15 feet		yes
Pawpaw	<i>Asimina triloba</i>	tree about 15 feet		yes
Musclewood	<i>Carpinus caroliniana</i>	tree about 15 feet	yes	
Redbud	<i>Cercis canadensis</i>	tree about 15 feet	yes	
Fringetree	<i>Chionanthus virginicus</i>	tree about 15 feet	yes	
Flowering Dogwood	<i>Cornus florida</i>	tree about 15 feet	yes	
Parsley hawthorn	<i>Crataegus marshallii</i>	tree/shrub about 15 feet		yes
Common persimmon	<i>Diospyros virginiana</i>	tree about 15 feet		yes
Two-winged silverbell	<i>Halesia diptera</i>	tree about 15 feet	yes	
Witchhazel	<i>Hamamelis virginiana</i>	shrub about 15 feet	yes	
Possumhaw	<i>Ilex decidua</i>	shrub about 15 feet	yes	
Ironwood	<i>Ostrya virginiana</i>	tree about 15 feet	yes	
Sourwood	<i>Oxydendrum arboreum</i>	tree about 15 feet		yes
Winged sumac	<i>Rhus copallina</i>	shrub about 15 feet		yes
Sassafras	<i>Sassafras albidum</i>	tree/shrub about 15 feet		yes
Sparkleberry	<i>Vaccinium arboreum</i>	shrub about 15 feet		yes
Yaupon holly	<i>Ilex vomitoria</i>	shrub about 15 feet	yes	
Florida anise	<i>Illicium floridanum</i>	shrub about 15 feet	yes	
Wax myrtle	<i>Myrica cerifera</i>	shrub about 15 feet	yes	
Wild olive (devilwood)	<i>Osmanthus americanus</i>	shrub about 15 feet	yes	
Red bay	<i>Persea borbonia</i>	tree about 15 feet	yes	
Horsesugar	<i>Symplocos tinctoria</i>	tree about 15 feet		yes
Mountain laurel	<i>Kalmia latifolia</i>	shrub less than 15 feet	yes	
Rosebay rhododendron	<i>Rhododendron maximum</i>	shrub less than 15 feet	yes	
Bottlebrush buckeye	<i>Aesculus parviflora</i>	shrub less than 15 feet	yes	

American beautyberry	<i>Callicarpa americana</i>	shrub less than 15 feet	yes	
Sweetshrub	<i>Calycanthus floridus</i>	shrub less than 15 feet	yes	
Summersweet	<i>Clethra alnifolia</i>	shrub less than 15 feet	yes	
Strawberrybush	<i>Euonymus americanus</i>	shrub less than 15 feet		yes
Fothergilla	<i>Fothergilla major</i>	shrub less than 15 feet	yes	
Oakleaf hydrangea	<i>Hydrangea quercifolia</i>	shrub less than 15 feet	yes	
Spicebush	<i>Lindera benzoin</i>	shrub less than 15 feet	yes	
Yellow azalea	<i>Rhododendron austrinum</i>	shrub less than 15 feet	yes	yes
Oconee azalea	<i>R. flammeum</i>	shrub less than 15 feet	yes	yes
Baker's azalea	<i>R. bakeri</i>	shrub less than 15 feet	yes	yes
flame azalea	<i>R. calendulaceum</i>	shrub less than 15 feet	yes	yes
plumleaf azalea	<i>R. prunifolium</i>	shrub less than 15 feet		yes
Piedmont azalea	<i>Rhododendron canescens</i>	shrub less than 15 feet		yes
Swamp azalea	<i>Rhododendron viscosum</i>	shrub less than 15 feet		yes
American snowbell	<i>Styrax americana</i>	shrub less than 15 feet	yes	
Arrowwood	<i>Viburnum dentatum</i>	shrub less than 15 feet	yes	yes
Dwarf rhododendron	<i>Rhododendron minus</i>	low shrubs less than 5 feet		yes
Dwarf huckleberry	<i>Gaylussacia dumosa</i>	low shrubs less than 5 feet		yes
Wild hydrangea	<i>Hydrangea arborescens</i>	low shrubs less than 5 feet		yes
St Johnswort	<i>Hypericum spp.</i>	low shrubs less than 5 feet	yes	
Virginia willow	<i>Itea virginica</i>	low shrubs less than 5 feet	yes	
Mapleleaf viburnum	<i>Viburnum acerifolium</i>	low shrubs less than 5 feet	yes	yes
Dog-hobble	<i>Leucothoe axillaris</i>	low shrubs less than 5 feet		yes
Native grasses for UPLAND				
			Common	Native plant
			Nursery	Plant
			Plant	Nursery
River oats	<i>Chasmanthium latifolium</i>	native grass	yes	yes
Deertongue grass	<i>Panicum clandestinum</i>	native grass		yes
Switchgrass	<i>Panicum virgatum</i>	native grass	yes	yes
Plumegrass	<i>Saccharum contortus</i>	native grass		yes
Indian grass	<i>Sorgastrum nutans</i>	native grass		yes
Little bluestem	<i>Schizachyrium scoparium</i>	native grass	yes	yes
Big bluestem	<i>Andropogon gerardii</i>	native grass		yes
Broomsedge	<i>Andropogon virginicus</i>	native grass		yes
Pink muhly	<i>Muhlenbergia capillaries</i>	native grass	yes	
Purpletop	<i>Tridens flavus</i>	native grass	yes	yes

Exhibit IV Power Pole Diagram



Installation must meet or exceed National Electric Code standard for wet locations and any additional requirements set by the Corps of Engineers as listed below.

1. All wiring on the pole must be in electrical conduit.
2. All electrical lines on public property must have ground fault protection.
3. Base of power pole must be at or above 661 msl.
4. Pole is to be a non-decorative, treated post (minimum 4 inches by 4 inches), 15 feet maximum height.
5. Base of receptacle must be at or above 666 msl.
6. Lighting must be a “down lighting” design or include “down lighting” shields.

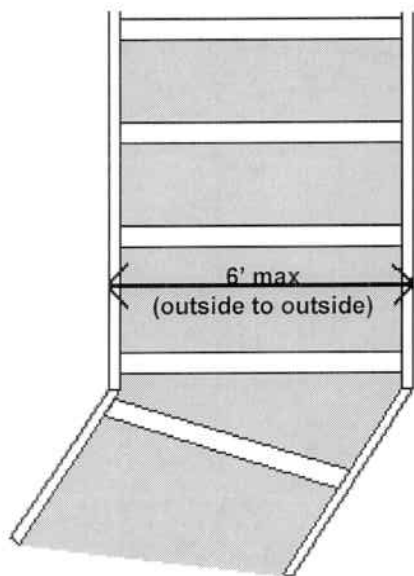
I certify that the wiring, light pole, and fixtures are installed and maintained in accordance with this plan.

Applicant signature

Date

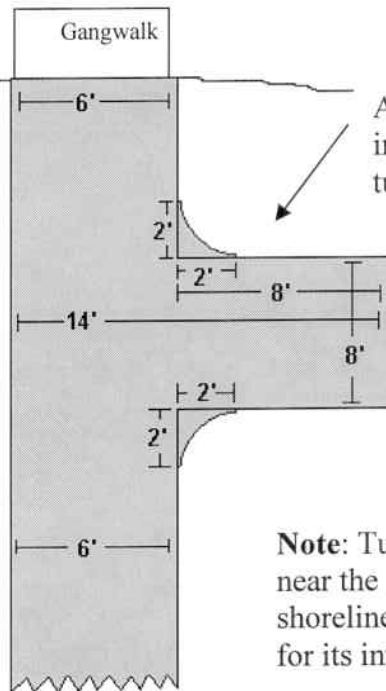
Permit Number

EXHIBIT V



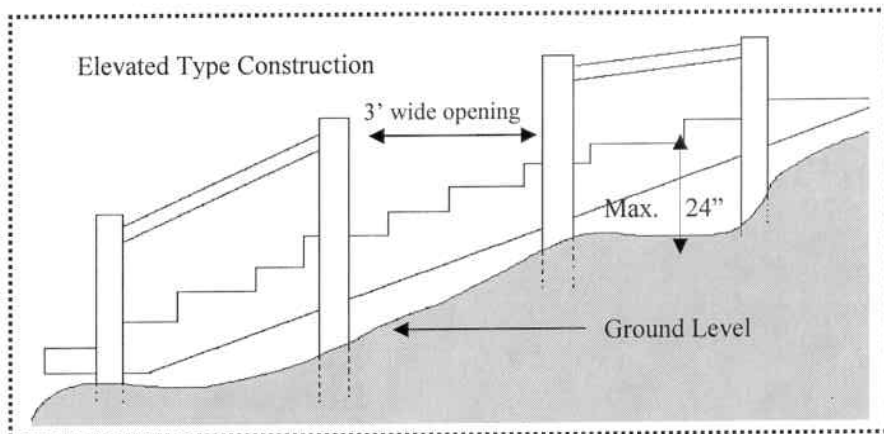
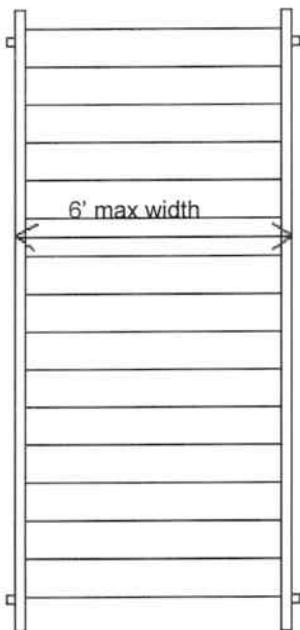
Top Views

Walkway Certification

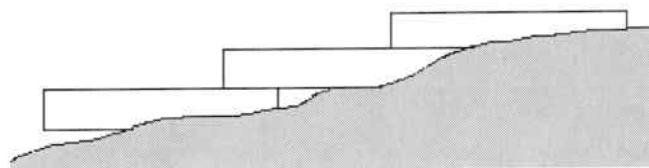


A 2 foot flair may be installed at corners of turnout.

Note: Turnout is to be located near the gangwalk and/or the shoreline in a manner practical for its intended use.



On-Grade Type Construction (side view)



Walkway Certification Agreement

I certify that I have received a copy of the shoreline management plan explaining the parameters/policy concerning improved walkways. I understand the sketches shown above are examples outlining the maximum width (6 feet from outside border to outside border) and maximum height (24 inches from ground level to top of walking surface) that applies to improved walkways. I understand the 8 foot width dimension applies only to the turnout portion of a cart path as shown and that cart paths must be on grade. I understand that loop-type turn-a-rounds are not authorized. I understand the approval of my improved walkway is subject to compliance with the Hartwell Project Shoreline Management Plan.

 Permittee Signature

V-1

 Date

 Permit No.



US Army Corps
of Engineers
Savannah District

Hartwell Project Boundary Line Information

Boundary Line Markings and Use of Public Land at Hartwell Lake



Introduction

With 56,000 acres of water, 23,530 acres of land and a shoreline of 962 miles, Hartwell Lake is one of the Southeast's largest and most popular public recreation lakes. Sound management of this resource is necessary to protect and preserve the project for future generations while providing quality recreation opportunities for today's visitors. Management must insure a balance between public recreation use, private lake access, and the conservation of project resources. Management must consider possible use conflicts between the general public and the owners of private property adjacent to the project.

Private Use

The Shoreline Management Plan furnishes guidance for the protection and preservation of desirable environmental characteristics of the Hartwell Project shoreline. Copies of the plans are available from the Project Managers Office.

Public land adjacent to the lake is delineated into different areas of use. This designation of public land allows specific types of private use in certain areas around the lake. Private use is controlled through a permit/license program which may allow individuals with approved access to public land to construct and/or install specific facilities, such as a boat dock, water and electric lines. Although private facilities may be authorized, the ownership of adjacent private land does not convey any exclusive rights to the use of public land. The placement of structures, or special use of public land without prior written authorization or contrary to the terms of the authorization, may constitute an encroachment.

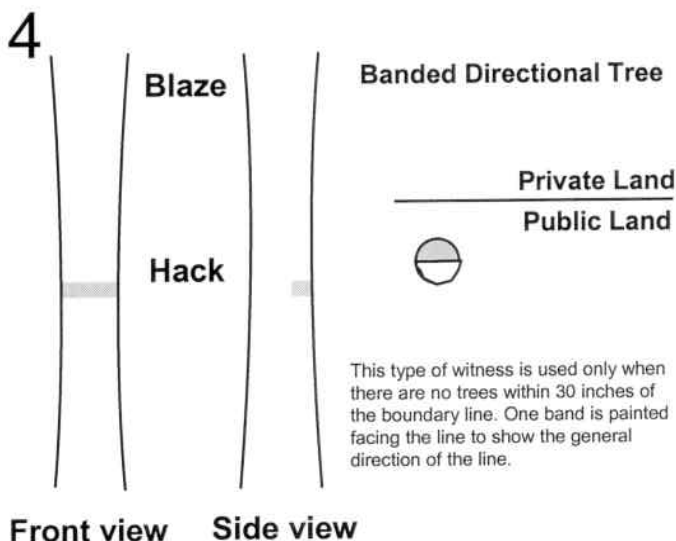
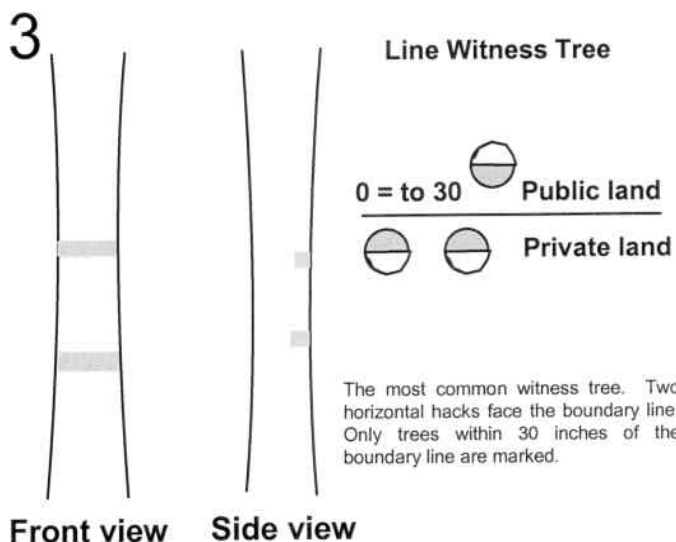
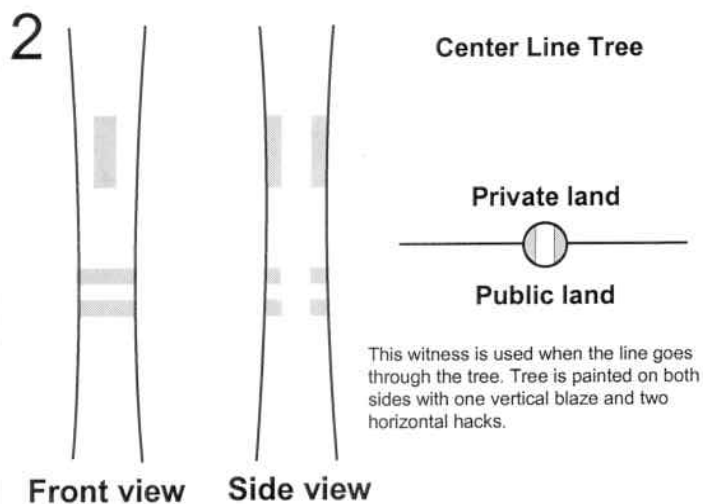
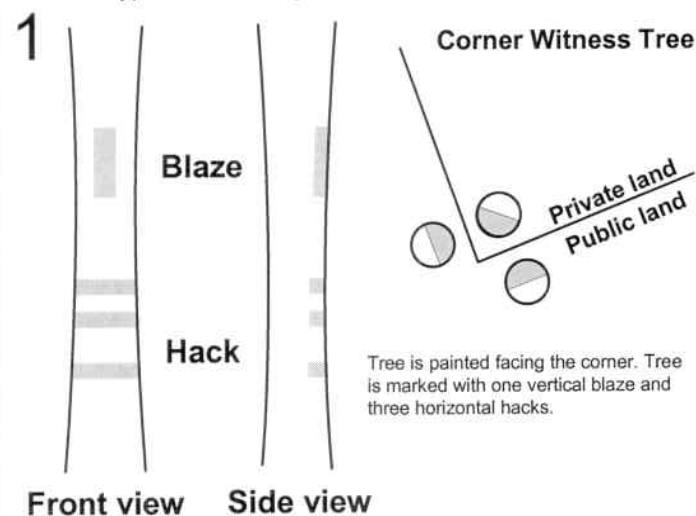
An encroachment is the construction, placement, or continued existence of any structure or item of any kind under, upon, in, or over the project lands or waters and/or the destruction, injury, defacement, removal or any alteration of public property including natural formations, historical and archaeological features, and vegetative growth unless said activity is authorized in writing.

Past experience has proven that lot pins do not always agree with the established boundary line. In order to prevent encroachments, we advise adjacent property buyers/owners to obtain the services of a licensed surveyor to verify the property line prior to purchase and/or construction. Discrepancies between private surveys and the boundary line established by Hartwell Project monuments must be resolved to help prevent encroachments. Please contact the Hartwell Project Office if you have any questions concerning the boundary line. Preventing encroachments with accurate surveys is always more desirable than removal and/or alteration of houses, decks, roof overhangs and other structures.

The Corps of Engineers requests the help of all citizens in preventing encroachments on the public land. To assist in identifying the public property at Hartwell, an extensive boundary line maintenance program exists which includes the brushing out and painting of the boundary line every 3 to 5 years. Portions of the boundary are resurveyed every year to document encroachments and replace missing or damaged boundary monuments. Specific boundary data can be obtained through the Project Manager's office free of charge.

Boundary Line Witness Markings

"Painting of the Line" actually means painting witness trees near the boundary line. At the Hartwell Project, orange paint is used to paint the witness trees along the 840 miles of boundary. Drawings 1 through 4 illustrate the different types of markings and describe their meanings.

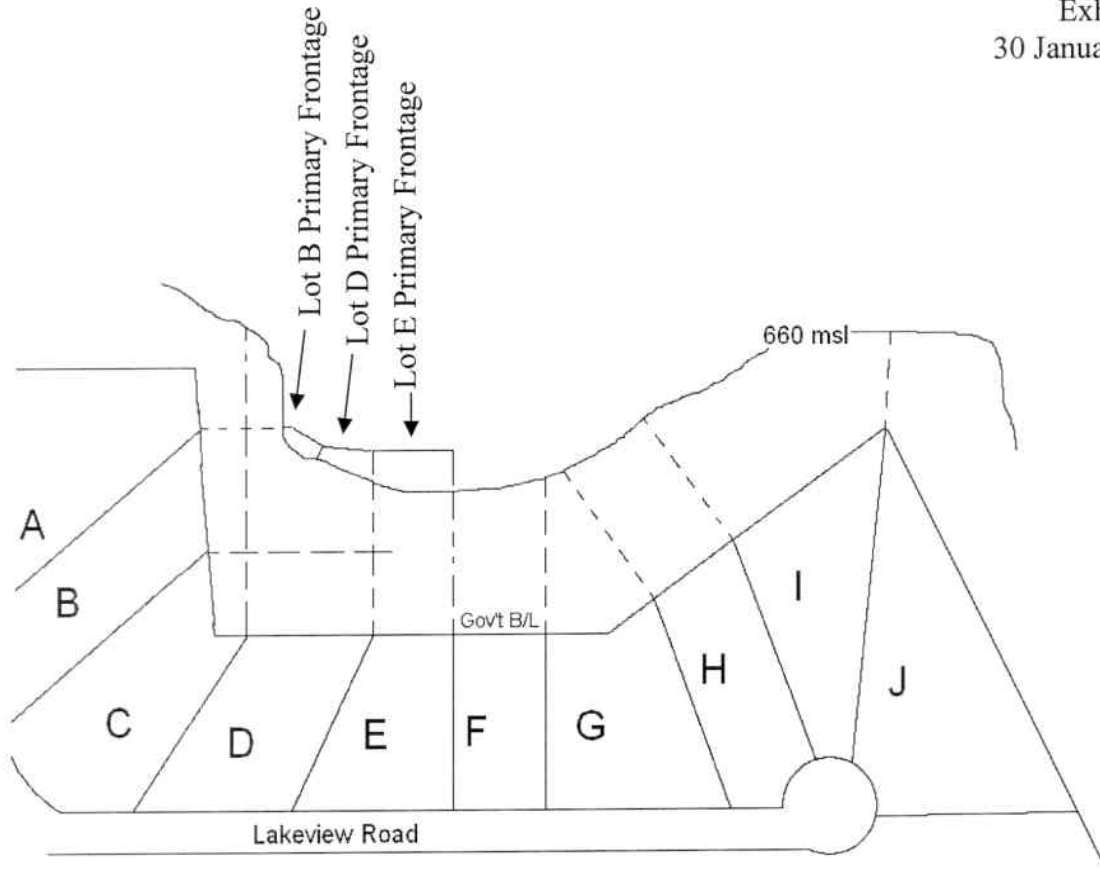


If you have questions about the location of the boundary line, contact the Hartwell Project Manager's Office at (706) 856-0300 or (888) 893-0678. A field appointment with a Corps ranger can be scheduled to assist you in locating the boundary line or in answering any other questions you may have concerning encroachments and our permit/license program.

**US Army Corps of Engineers
 Office of the Project Manager
 Hartwell Lake and Powerplant
 5625 Anderson Hwy.
 Hartwell, GA 30643**

EXHIBIT VII
90 Degree Projection Examples

DP 1130-2-18
Exhibit VII
30 January 2007



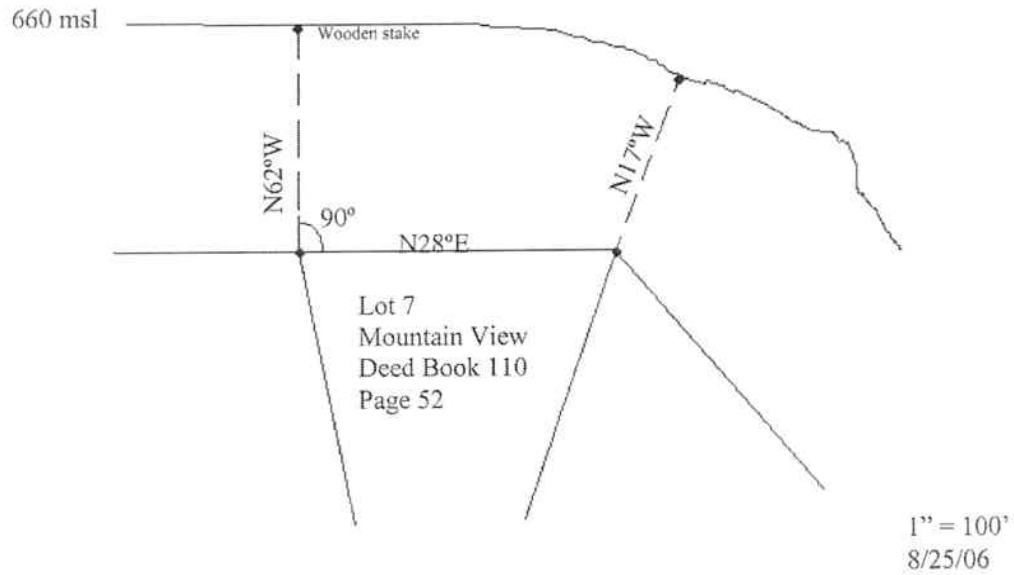
*This example depicts a subdivision adjacent to a “Limited Development” (Green) area with adequate water for docks.

1. The primary frontage for each lot is determined by projecting a 90 degree angle from the Government boundary line (which is known as the “common boundary”) to 660 msl; it is not an extension of private lot lines. If the 90 degree projection bisects/crosses other frontage areas, previously permitted areas, or private property before it reaches 660 msl, the property will not qualify for shoreline use permits.
2. Lots A and E through H have standard primary frontage areas.
3. Lots B and D both have limited frontage and share the “water area”. If there is only enough room for one dock at this location, dock will be issued on a first come/first served basis.
4. Lot C is not dockable since its 90 degree projections bisect the primary frontages of other lots before it reaches 660 msl.
5. Lots I and J represent a point lot where projection is split between the two lots.

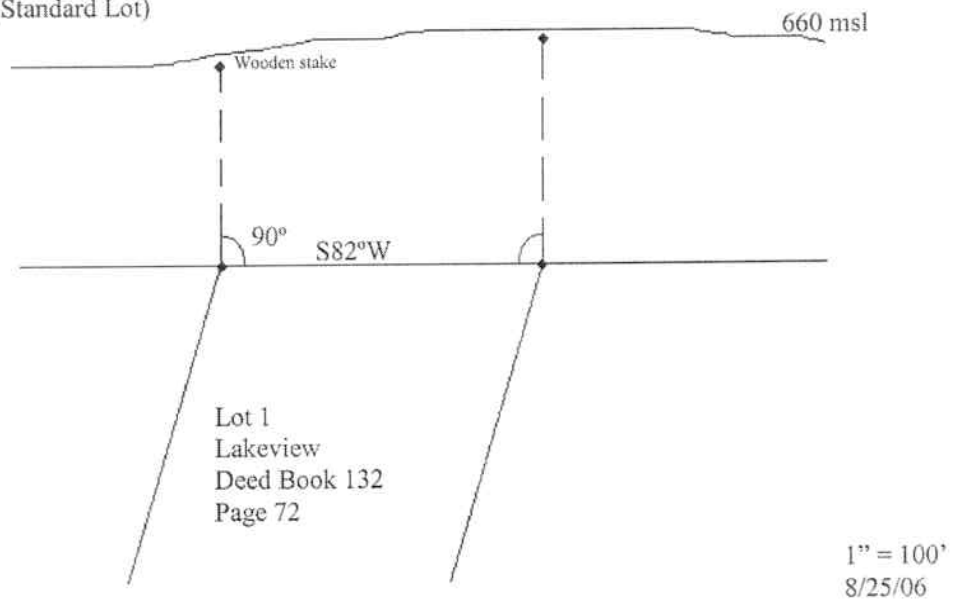
Exhibit VIII
Projection Documentation Criteria/Examples

1. Must be submitted on an 8-1/2 by 11-inch sheet for individual lots. Larger tracts may be submitted on larger paper.
2. Scale should be 1 inch equals 100 feet for standard individual lots. Larger tracts may require different scale.
3. Elevation 660 msl should be identified.
4. Wooden stakes to be installed where projections intersect 660 msl (or at the current lake level during high water conditions).
5. Projection documentation must be completed by registered land surveyor and include date of survey.
6. Projection documentation must identify subject lot. (i.e., Lot 7, Mountain View, as recorded in Deed Book _____, Page _____, _____ County)
**** The projection documentation itself does not need to be recorded, but must reference the recordation of the subject lot/property.****
7. Bearing of common boundary line (from which projections are being made) must be identified.
8. Boat docks and other facilities should **NOT** be shown.

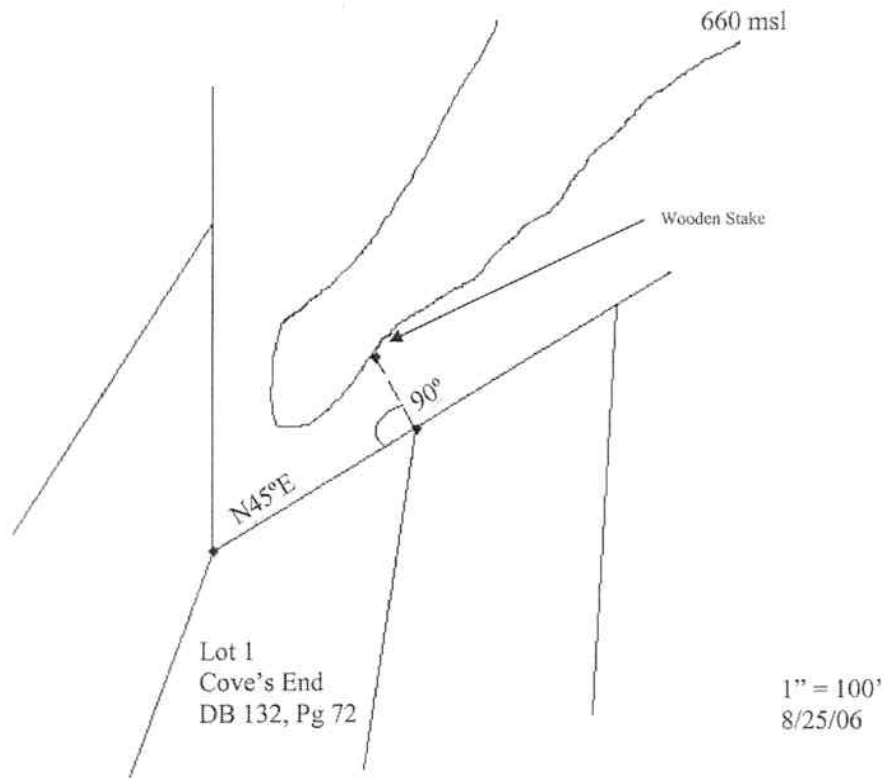
Example 1 (Point Lot)



Example 2 (Standard Lot)



Example 3



Example 4

*Since a 90° projection from point C does not intersect 660 msl prior to intersecting other permitted areas, it does not need to be shown.

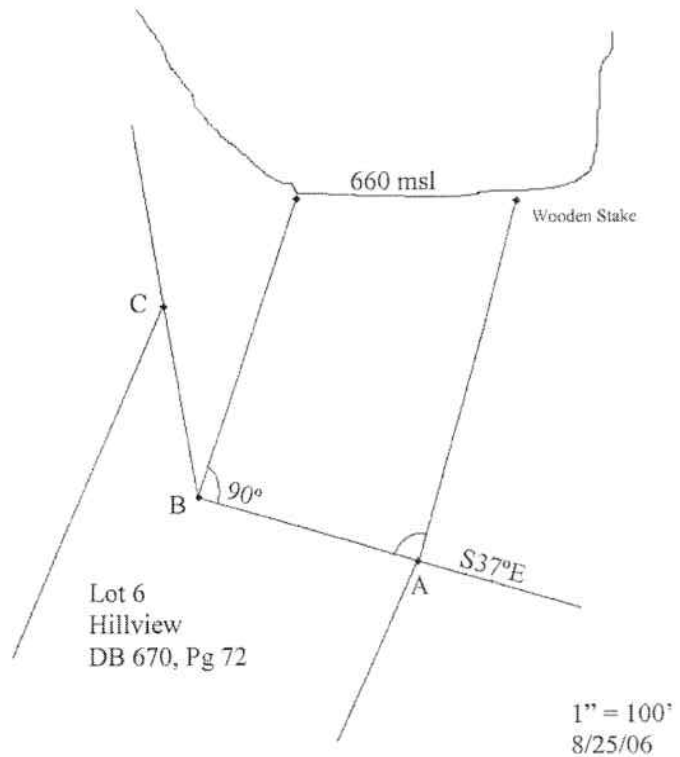


EXHIBIT IX Dock Length Restriction Examples

*Example depicts property adjacent to “Limited Development” area.

1. Although there is 200 feet between 660 msl on each side of cove, Lot B would be limited to 1/3 of 90 feet (30 feet total length) due to shoal area.
2. The dock shown adjacent to Lot E would not be approved as it blocks access to cove. A shorter overall structure could be approved.

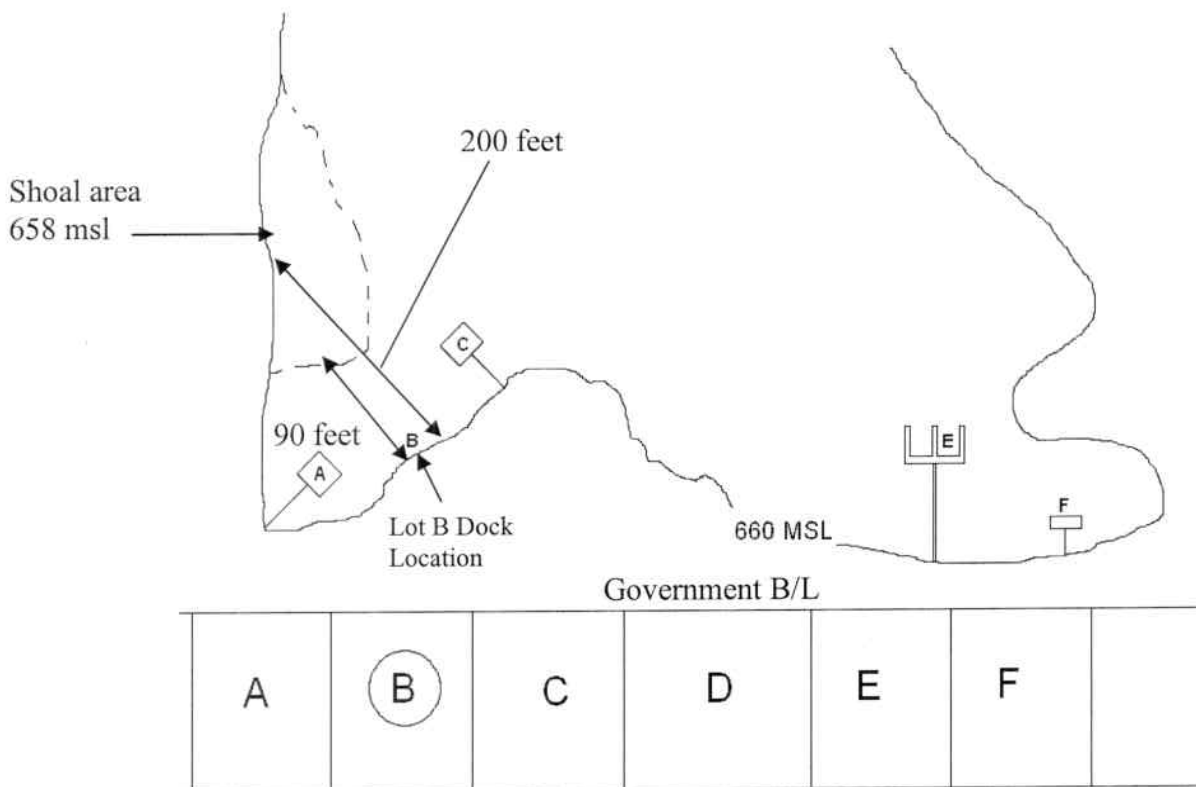
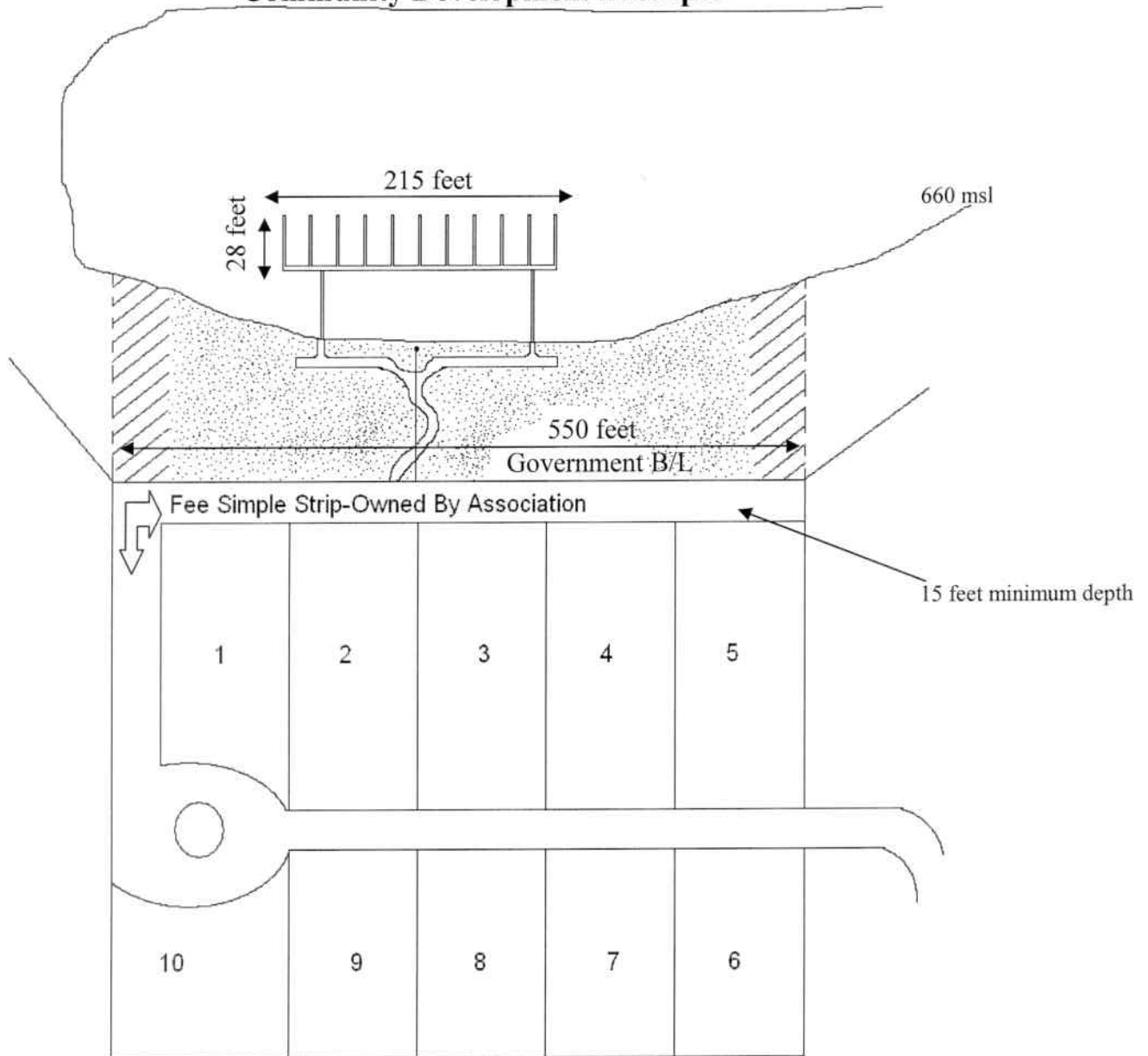


EXHIBIT X Community Development Example



This example represents a development that owns 550 feet of boundary line that is considered dockable. As a result, they qualify for a maximum 6,050 square foot community dock (550 feet by 11 square feet = 6,050). Since there are 10 individual, practical lots, the dock can have a maximum of 10 slips.

This is one of many possible options. For example, lots could be smaller, increasing total number, or it could be a multi-residential development. Multi-residential developments would not require fee simple strip.

EXHIBIT XI

Community Dock Association Agreement

The purpose of this document is to emphasize requirements for which members of the
(Name of Respective Homeowners Association)

are responsible for adhering to in relation to maintaining a Shoreline Use Permit/License for a community dock and related facilities and activities on public land and waters adjacent to the development known as (Name of Subdivision/Development).

“WE” refers to all members of said association.

WE understand that the ability to maintain a community dock on Hartwell Lake is a privilege dependent upon compliance with all Shoreline Use Permit/License conditions and Hartwell Project Shoreline Management policy including those associated with the installation/establishment and maintenance of improved walkway (s), utilities and underbrushing and those associated with encroachments of structures, personal property and/or vegetation onto public land.

WE understand that violations by any one member may result in the loss of all or part of the above noted privileges to all members.

WE understand that the (Name of subject community dock) is approved based on the attached development plan dated _____, as recorded in the _____ County Courthouse at (Deed Book and Page No.), and that any changes made to the said development plan may result in the cancellation and/or modification of the Shoreline Use Permit/License authorizing said dock.

WE understand that one member, as designated/appointed/elected in accordance with accepted by-laws, will act as the point of contact between the “Association” and the US Army Corps of Engineers Hartwell Project. WE further understand that it is required to notify the Hartwell Project Office in writing of any changes to the point of contact information, including name, mailing address and phone number.

WE understand that the point of contact will act on behalf of all members and that a change in the point of contact does not relieve the Association from complying and adhering to all applicable rules, regulations and policy related to the subject Shoreline Use Permit/License.

WE understand and accept the fact that the point of contact is responsible for informing all members of applicable rules, regulations and policy, but that failure of the point of contact to do so does not relieve the Association from its responsibilities to comply with all such rules, regulations and policy and does not relieve the Association from consequences for non-compliance.

DP 1120-2-18
Exhibit XI
30 January 2007

WE understand that any actions on public land related to the community dock (s) and/or other facilities/activities must be coordinated with the US Army Corps of Engineers, Hartwell Project prior to any work being initiated.

WE accept this agreement this _____ day of _____, 20__

Name of Association

Printed Name - Point of Contact

Signature of Point of Contact