

A. OLD HICKORY LAKE SHORELINE MANAGEMENT REGULATIONS

1. **Comment (a) - Want to know all existing regulations on shoreline property and criteria for determining what is Corps property.**

Comment (b) - Want the Corps to be specific about what can be done along the shoreline.

Comment (c) - Is there a website that lists regulations regarding Old Hickory Lake shoreline management?

Response - The Old Hickory Lake Shoreline Management Plan (SMP) provides policies and guidelines for the effective long-range management of the shoreline resources of Old Hickory Lake. The objective of this plan is to balance the use of public land with the protection and restoration of the natural environmental conditions of Old Hickory Lake. It contains definitive guidance, which balances certain private exclusive uses of public resources while providing for protection and restoration of natural environmental conditions. The plan can be found online at:

http://www.lrn.usace.army.mil/op/OLD/rec/shoreline_mgt.htm

B. PRIVATE FLOATING DOCK FACILITIES

INDIVIDUAL DOCKS

1. **Comment (a) - Amend dock construction criteria to suit public demand.**

Comment (b) - Re-evaluate size/length/width (etc) restrictions and modify to meet current public demands.

Response - We believe that a size limitation protects shoreline aesthetics and public recreation by preventing docks from being greatly oversized. Based on our studies, the majority of boat owners have been able to design their docks within our guidelines in a manner to accommodate large boats. Granted, extremely large cruisers may have to be berthed at commercial facilities. However we do not believe that the maximum dock size allowed should be based on the size of the largest boats available. We have a

responsibility to all users of the lake to limit the amount of public waters displaced by private structures.

2. Comment (a) - What and how long is the process for applying for and receiving a permit?

Comment (b) - How, when, and where can I apply for a boat dock permit?

Comment (c) - What is the process to get a boat dock permit?

Comment (d) - What are the minimum shoreline requirements for boat docks and multi-family developments?

Response - To begin the permit process for a dock facility, an applicant must contact the Old Hickory Lake Resource Manager's office at (615) 822-4846 or (615) 847-2395 to schedule a new landowner's meeting with their designated ranger. Permits for individual dock facilities shall be issued only in Limited Development Areas allocated for private docks. Decisions regarding the issuance of a permit are made after a site inspection is completed. Each application will be considered according to location, amount of lake frontage, pool fluctuation, shoreline characteristics, water depth (the dock must be able to float during normal pool elevation of 445 msl.) and impact on public use. Even though the part of the lake in question may be identified as a Limited Development Area on the Shoreline Allocation Map, this designation does not guarantee that a dock permit will be issued at a specific location within that area. The Resource Manager will coordinate applications for private docks on the main channel of the lake with the appropriate branch in the Nashville District Office to insure commercial navigation is not impeded.

To be eligible for an individual private dock, an applicant must own private property which qualifies for a residential building permit and directly adjoins public property (not separated by a public road or driveway, public right-of-way, subdivision common area or leased property) at the proposed dock location. Applicants must have proof of ownership along with a plat map of the property that has been prepared by a licensed surveyor. There must be a minimum of 65 feet of allocated shoreline to qualify for an individual or community dock permit. This allows the docks

to remain 50 feet apart and reduces conflicts at heads of coves where space is limited.

Only one dock will be permitted per individual at a single location. This means that an individual with a large parcel or group of contiguous parcels of private property adjoining public property will be permitted only one dock, regardless of total lake frontage. The Resource Manager may require verification of boat ownership. The permitted dock may not be rented, leased, or licensed to other individuals or used for any purpose other than moorage of the permittee's boat. At no time will private floating facilities be used for human habitation. Private docks are only for the moorage of boats and shall not contain side floats, diving boards, slides, playground equipment, grills, tables, furniture, or similar accessories.

3. Comment (a) - What criteria is used to evaluate new dock applications?

Comment (b) - Clarification on permit approval process (engineer drawings)

Response - (1) Design Criteria. All plans for new docks and major modifications of existing structures must be certified (signed and dated) by a licensed engineer, architect, or licensed general contractor before it can be approved. Certification is intended to ensure docks are structurally sound and safe including the reasonable expectation that the dock is suitable for conditions on Old Hickory Lake such as wind, wave action, snow, etc. The applicant must submit a drawing showing the dimensions as well as structural details that meet minimum building codes. Applicants shall submit an 8 1/2" x 11" drawing showing the dimensions of the proposed structure and anchor system. The structural details can be on blue prints. Details for boatlifts, jet ski lifts, electrical facilities, and anchoring systems must be included.

(2) Location. Generally, a new individual dock must be located in areas designated for such by the SMP. In addition, docks must normally be constructed within the limits of the shoreline defined by the shortest possible lines from the adjoining private property outer corners to the shoreline at normal pool elevation (this is referred to as allocated shoreline). The Resource Manager will designate the exact location and type of the floating

facility (individual or community dock) that will be permitted. Whenever possible, a location will be selected which will allow neighboring adjacent landowners to also qualify for dock privileges. The dock, boats, and attachments must be located at least fifty feet away from any other dock. Some existing docks are closer than 50 feet apart.

(3) Size. The maximum allowable total surface area for a dock and moored boat(s) is seven hundred (700) square feet (overall length x width) including the slip(s). The maximum allowable *length* for an individual private dock with a slip is forty (40) feet. The maximum size of a new dock without a slip (platform dock) is one hundred-sixty (160) square feet. The maximum width of the walkway is six (6) feet wide. A dock with a slip can have one eight-(8) foot wide finger. This is allowed to give safe clearance when storage lockers and/or jet ski lifts are located on the dock. The Resource Manager may reduce these size limits if necessary to protect navigation interests or public recreational use of the lake. Existing floating platforms, rafts, decks, etc. which do not have enclosed hulls or are not designed and used primarily for recreational navigation will be considered a part of the dock structure. The surface area of such structures will be counted toward the total square footage of the dock, regardless of the method of attachment or the presence of a boat motor or state boat registration numbers. Docks or boats moored to them shall not extend more than fifty feet from the beginning of the walkway at the shoreline to the outer edge of the dock, in a direction perpendicular to the shoreline. If in a cove, the dock shall not exceed fifty feet in length or one-third the width of the cove, whichever is less. The owners of all new, renewed or reissued permits are required to install and maintain safety reflectors on each corner of the dock. These are to be placed so that they are visible to boat traffic.

(4) Construction Criteria. Floating docks must be properly constructed and firmly secured in place with shoreline anchors and/or spud poles. Fixed piers, fixed walkways, or fixed docks are prohibited. If spud poles are used, they must be long enough to allow for fluctuation of the lake to flood pool elevation.

Only encased flotation will be approved for both new and existing docks.

Steel, aluminum, concrete, fiberglass, pressure treated wood, or combinations of these are acceptable building materials for docks. Handrails may be installed on the dock and walkway, but not on the roof. Roofs may be authorized for the protection of the applicants' boat, but may not be used as a sun deck or storage area. The roof height will be reviewed based on the structural integrity of the dock and the aesthetic impact. Flat roofs that could be used for a sun deck or patio are no longer permitted. Existing docks of this type are grandfathered. Existing stairs and or other access to roofs must be removed or access permanently restricted before ownership changes to a new permittee. New enclosed boathouses will not be permitted. Roof overhangs on docks in excess of 3 feet will be included in the total square footage of the dock. A storage compartment not to exceed fifty cubic feet may be constructed on the dock to store equipment related to boating. The storage compartment can be constructed to serve as a bench. If the dock is painted, it must be an earth-tone color, such as green, brown, or tan, and it must be repainted when needed. A permit tag furnished by the Resource Manager must be displayed on each dock so that it can easily be seen from the waterway. The permittee must maintain the structure in a safe and structurally sound condition.

(5) Attachments to the Dock and Outside Moorage. Boatlifts (including personal watercraft lifts and small boatlifts) shall not be fixed with driven pilings. They must be attached to the dock in such a way that they fluctuate with the dock and water level or be removed before ownership changes to a new permittee. The square footage of the attachment will be added to the square footage of the dock structure since these type facilities are permanent structures and increase the "footprint" (actual water surface area occupied by the dock structure and facilities enclosed). However, the "footprint" for platform docks with attachments cannot exceed 280 square feet to allow for the addition of a personal watercraft or small boat lift.

3. Comment (a) - Would like to have a boat dock permit prior to building house

Comment (b) - Is it necessary for house to be completed before issuing permit?

Response - To be eligible for an individual private dock, an applicant must own private property which qualifies for a residential building permit and directly adjoins public property (not separated by a public road or driveway, public right-of-way, subdivision common area or leased property) at the proposed dock location. Applicants must have proof of ownership along with a plat map of the property that has been prepared by a licensed surveyor; however, they are not required to have a house constructed on their private property.

4. Comment (a) - Why are chairs and swings not permitted on docks?

Comment (b) - Consider permitting sun decks.

Response - Docks are for moorage of vessels only. A storage compartment not to exceed fifty cubic feet may be constructed on the dock to store equipment related to boating. The storage compartment can be constructed to serve as a bench. Roofs may be authorized for the protection of the applicants' boat, but may not be used as a sun deck.

5. Comment (a) - What width does a creek have to be and how deep does it need to be in order to have a boat dock?

Response - There is no set water depth or cove width when determining if an area may be issued a dock permit. All requests for docks are evaluated on a case by case basis. Our Shoreline Management Plan specifies that the dock must be able to float during normal pool elevation of 445 msl and must not extend more than one-third the width of the cove.

6. Comment (a) - Do not revoke permits when deteriorated/unusable docks are temporarily removed from lake

Response - In the event a dock must be removed from public property in order to be repaired or replaced, the property owner must coordinate a dock revision with the ranger staff. Any new structure constructed must conform to Paragraph 16 of the Old Hickory Lake Shoreline Management Plan. A Shoreline Use Permit will only be revoked if the permittee ceases to use, operate or maintain a permitted facility and/or activity.

COMMUNITY DOCKS

1. Comment (a) - What regulation specifies who can or can't get a community dock?

Comment (b) - Does the Corps favor individual docks or community/group docks?

Comment (c) - What classifies as community dock - minimum number requirement?

Comment (d) - Requirements for a community boat dock?

Comment (e) - Is total allocated area of a subdivision taken into consideration for individual / community docks?

Comment (f) - Can I relinquish community dock rights for an individual dock?

Comment (g) - Consolidated permit among groups? Individual permit vs. consolidated permit?

Response - We encourage the establishment of community dock associations. The Old Hickory Lake Shoreline Management Plan is the guiding document for permitting community docks. In some locations such as near campgrounds, recreation areas, environmental restoration and conservation sites, marinas, and/or permitted skiing areas, individual docks may inhibit public use and enjoyment of project waters and shoreline. In these type areas, only a community dock will be permitted to limit the proliferation of individual facilities.

The community association, not the individual members, owns a community dock. Property owners can benefit from a community dock association in several ways. A community dock can reduce the visual and physical impacts of private development along the shoreline by replacing a potential string of scattered individual docks with one centralized facility. Overall design, construction and maintenance costs per person are generally lower for a community dock than for a separate individual dock. Electrical installation, maintenance, and inspection costs would also be lower per person in the case of a community dock. The permit cost is reduced because only one facility, and

consequently one shoreline use permit, is needed to serve several adjoining property owners.

Community docks shall be permitted only in shoreline areas allocated as Limited Development for private docks. The community dock must be located within the limits of an area defined by the Resource Manager so that it is at least fifty feet away from any other existing docks. The association must submit a shoreline use permit application with detailed plans showing the location of the facility on the shoreline and the type of construction. No deviation from the approved plans is allowed without the prior written approval of the Resource Manager. A member of a community dock association is not eligible for an additional individual private dock permit. However, a person with a permit for an individual dock can relinquish that permit to participate in a community dock. The community dock association must notify the Resource Manager of the change in membership. The association must furnish the Resource Manager with a list of the names, addresses, and subdivision lot numbers of all members and provide notification of any changes in membership annually. Moorage at a community dock by individuals who are not members of the association is prohibited. Individual slips may not be rented, leased, licensed, or sold, nor may any other commercial activity be associated with the operation of the facility.

Community facilities may extend more than fifty feet perpendicular from the shoreline, but may not exceed one-third the width of the cove. Since inside walkways are shared in a community dock facility the total surface area of a community dock shall not exceed 630 square feet per member. The construction criteria are the same as for private individual docks. Existing community docks must obtain a non-profit corporation status. Copies of the state certificate of incorporation, the corporate charter, corporate by-laws, and a list of officers and members (names, addresses, phone numbers, and subdivision lot numbers) must be submitted when the dock is renewed. This is required to identify new owners and acquire information on that may have changed in the five-year period.

There are two types of community dock associations authorized on Old Hickory Lake:

(1) Association of Individual Property Owners. Two or more individuals owning property adjacent to public land in an area where individual private docks may be permitted, may form a legal non-profit corporation and apply for a community dock. Since the permit is issued to the corporation, new members (those who purchase the adjoining private property of a former member) will not have to apply for a separate permit. No incorporation insurance coverage is required for this type of community dock. Liability insurance coverage is required, and shall be issued as a single policy, not a series of individual policies.

(2) Association of Multiple Family Developments. A community dock permit may be issued to an association of property owners of a condominium, cluster home development, or similar residential development with jointly owned property directly fronting a Limited Development Area allocated for private docks. To provide access to public lands, the applicant must provide a dedicated access from a public thoroughfare to the proposed site of the community dock. Public lands will not be made available for parking. The individual occupants must own residential units. This excludes apartments or rental units in which residents do not actually hold title to the property involved. Persons eligible to use the community dock will be determined by the legally incorporated property owners association. Since the number of residents will generally exceed the number of slips available, association by-laws must clearly state the criteria. The number of slips will never exceed the number of residential lots with access to the common area. Also, a property owners' association shall qualify for a community dock permit only after the residential development is substantially completed (twenty-five per cent of the units are owner occupied) and the association officers are bonafide residents. The purpose of this requirement is to ensure that the community dock is for the legitimate recreational use of actual residents and not a speculative venture by developers to enhance marketability.

For permitting and fee purposes, a community dock serving a multiple family development is defined as a single facility of up to twenty boat slips. The maximum number of slips allowed will be determined by allotting one slip per sixty-five linear feet of available shoreline suitable for placement of individual private docks (fifteen-foot average dock width with a minimum clearance between docks of fifty feet). The Resource Manager will determine if eligibility,

demand, and site conditions warrant consideration of additional facilities to the same incorporated association. Additional facilities, regardless of the number of boat slips allowed in each, will be assessed as separate community docks.

2. Comment (a) - Consider increasing 630 sq. ft. of community docks to 700 sq. ft. consistent with private individual docks.

Response - Since inside walkways are shared in a community dock facility the total surface area of a community dock shall not exceed 630 square feet per member.

C. ALLOCATION CHANGE REVIEW

1. Comment (a) - How long until we get a response for new dock request?

Comment (b) - When will request for a dock be reviewed?

Comment (c) - When will dock permit requests be reviewed? Has it been approved?

Comment (d) - Is dock permitting date public information?

Comment (e) - For the requests to open the shoreline, are these still being considered? How long will they be considered?

Comment (f) - When are dock requests answered? Is there a deadline/timeline to respond?

Comment (g) - When will the permit process open and close?

Response - All requests for allocation changes were reviewed after the 30-day comment period following our public meetings in Gallatin and Mount Juliet. It was a very lengthy process due to the large number of allocation change requests and comments that were received. All allocation change decisions and comment responses are posed on our website at:

<http://www.lrn.usace.army.mil/op/old/rec/>.

Approximately every five years we hold public meetings to solicit input for the plan. All requests for shoreline allocation changes are reviewed at this time.

2. Comment (a) - How many new dock permits will be issued this year and numbers in following 5 years?

Comment (b) - How many boat dock permits will be granted? Is there a limit?

Response - There is not a set number of dock permits that will be issued. Permits are issued based on the following criteria: New boat dock permits will only be granted in areas designated as, "Limited Development, Private Docks and Mowing". Even though a particular area of the lake may be classified as a Limited Development, this designation does not guarantee that a boat dock permit will be issued at a specific location within that area. Decisions regarding the issuance of a permit are made after a site inspection is completed. Each application will be considered based on the amount of lake frontage, shoreline characteristics, water depth (the dock must be able to float during normal pool elevation of 445 msl.) and impact on public use.

To be eligible for an individual private dock, an applicant must own private property which qualifies for a residential building permit and directly adjoins public property (not separated by a public road or driveway, public right-of-way, or leased property) at the proposed dock location. Applicants must have proof of ownership along with a plat map of the property that has been prepared by a licensed surveyor. There must be a minimum of 65 feet of allocated shoreline to qualify for an individual dock permit.

3. Comment (a) - Years ago many were denied the right to build boat docks, now in the Station Camp Creek area home owners will be allowed the right to build boat docks. This area is congested now. As always: money talks.

Comment (b) - Station Camp Creek area - concerned with ramifications of adding docks

Comment (c) - If land is subdivided (Fairvue) each parcel is not granted individual dock

Comment (d) - Would like to see E. Station Camp Creek area open to docks (Fairvue Plantation)

Comment (e) - Will docks be permitted along shoreline adjacent to Fairvue Plantation?

Comment (f) - Station Camp Creek area will be overpopulated with docks having a strong negative impact to the aesthetic qualities and decrease use safety from the increase of over-use

Comment (g) - I am concerned about the potential of additional docks due to new developments. If more docks are allowed in the Station Camp Creek area there will be a significant negative effect on the recreational use and aesthetics of Old Hickory Lake. Station Camp Creek is already congested on weekends; the addition of docks will reduce the area of safe boating while at the same time increase congestion. Any change of the Shoreline Management Plan Limited Development Areas that are currently "mowing only" to "private docks and mowing" needs to take into account not only the property owner's wishes but also the impact on the recreational visitors and the beauty of Old Hickory Lake. Thank you.

Comment (h) - Increase areas open to private docks to meet demand

Comment (i) - Indicate in the SMP that all shoreline is allocated for dock permits and that an individual only has to make an application for a permit under conditions allocated in the plan.

Comment (j) - I am against the lots at Fairvue (and houses) on the east and west forks of Station Camp Creek getting docks. There are too many houses too close together. They need a common dock like they advertised they would have when they began selling.

Comment (k) - Would like to see boat docks open at Kirkpatrick Lake Road in Wilson County between Ruilman Center and the Gallatin Bridge (Hwy 109).

Comment (l) - Would like to see shoreline below 109 bridge (Sumner County) opened for docks.

Comment (m) - Would like to see Cove SW to Avondale Access opened for docks.

Comment (n) - Would like to see middle part of Bledsoe Creek open to docks.

Comment (o) - Interest in extending dockable area between 109 Bridge and Ruilman Center.

Comment (p) - Like to see docks extended to Roberta Drive.

Comment (q) - Dock permits at Foxland Hall.

Comment (r) - Dock permits at Fairvue.

Comment (s) - Possibility of changing protected class to limited development - Ziegler's Port?

Comment (t) - Permit at Lakeview Rd.

Comment (u) - Dock permit at Hartsville, TN Willow Lane.

Comment (v) - Will docks be available on Barton's Creek - Stone Brook Falls?

Comment (w) - Why can't I get a dock near Avondale Launch Ramp?

Comment (x) - Boat dock availability in Windstar Bay.

Comment (y) - Will limited development allocation be changed to allow boat dock and mowing privileges at West Fork - Station Camp Creek?

Comment (z) - Why can't we have private dock permit - Puryear's Bend?

Comment (aa) - Why can't we have private dock permits - Hartsville area?

Comment (bb) - I want to be able to build a dock in cove - Hartsville area.

Comment (cc) - Any dock permits between Gallatin and Carthage?

Comment (dd) - Would like to Shoreline Management Plan extend dockable area further down from 109 Bridge toward Ruilman Cove.

Comment (ee) - Would like to see shoreline at my property reclassified to authorize a boat dock permit.

Comment (ff) - Wanting to get dock permit for my property. We are a group of individuals who live in the Puryear Bend Area.

Comment (gg) - Why are docks not permitted in the Hartsville area? There is no barge traffic.

Comment (hh) - How can Corps justify saying some areas getting massive numbers of docks while other areas have to wait 5 years.

Comment (ii) - I am writing to urge you to change the SMP Limited Development Areas that are currently "mowing only" to "private docks and mowing."

Comment (jj) - Savannah Point have its allocation/zoning changed from recreation to limited development and boat dock.

Comment (kk) - Many residents in Ridgewater Estates (a new subdivision) have expressed a desire to have this area approved for dock permits.

Comment (ll) - I live in Ridgewater Subdivision. I would appreciate your consideration on allowing a dock permit on my part of Old Hickory Lake.

Comment (mm) - Would like for Barton Shore Court be re-evaluated to allow boat docks.

Comment (nn) - We support all hunting and fishing opportunities provided - would like to see more wildlife habitat.

Comment (oo) - Re-evaluate Cairo Bend to Barton Shore Court for boat docks.

Comment (pp) - Re-evaluate areas to allow for more boat dock permits.

Comment (qq) - Evaluate areas south of Burton Road bridge for boat docks.

Comment (rr) - Shoreline Management Plan should grant dock permits in all areas where water depth are five plus feet and proper width exists.

Comment (ss) - I am writing to urge you to change the SMP Limited Development Areas that are currently "mowing only" to "private docks and mowing."

Comment (tt) - I live in Ridgewater Subdivision. I would appreciate your consideration on allowing a dock permit on my part of Old Hickory Lake.

Comment (uu) - We support all hunting and fishing opportunities provided - would like to see more wildlife habitat.

Comment (vv) - I wish to see the lake kept alive with wildlife and waterfowl to promote a natural environment.

Comment (ww) - I requested under separate cover that Lots 23 and 24 in Savannah Point have its allocation/zoning changed from recreation to limited development and boat dock.

Comment (xx) - Opportunity for dock facilities at Eastover Road, Watertown, TN 37184).

Comment (yy) - Inconsistent issuance of boat dock permits.

Comment (zz) - What is plan to control growth of number of shoreline permits as farm land becomes single family dwellings?

Comment (aaa) - Development and loss of land resources.

Comment (bbb) - Environmental concerns make it more difficult to obtain permits.

Comment (ccc) - There are limited public access resources. Not allowing current lakeshore property owners docking privileges consumes these limited public resources.

Response - Where boat docks are and are not permitted is a highly controversial topic. Approximately every five years we reevaluate requests to change the shoreline allocations and allow more boat docks. Some lakeside homeowners and developers demand that currently Protected Areas be reallocated as Limited Development so that more areas can have docks. Other people believe that current allocations offer a good balance and allocations should not be changed. Still others argue that the Corps is too permissive and that selected areas which are currently classified as Limited Development should be closed to private development.

During the public workshops in October 2006 and during the subsequent 30-day comment period we received written requests to reevaluated 40 areas. After full consideration of comments received, and an evaluation of these locations as compared to the criteria for Shoreline Allocations changes, we have opened 5.48 miles of shoreline. These newly opened areas were previously classified as Limited Development mowing only.

4. Comment (a) - How does the Corps choose open to dock areas? (What criteria?)

Comment (b) - How to open mow only areas to dock permissible

Comment (c) - Like to see fair and equal consideration for re-allocation of the shoreline to permit boat docks using published, standardized criteria.

Comment (d) - Who decides how an area is changed from limited development mowing to limited development boat dock / mowing?

Comment (e) - Who has the final say on who is issued a dock permit? (Corps, homeowners association, or developers?)

Comment (f) - What bureaucrat has final say in restricted areas and what is our recourse?

Comment (g) - If a section of land is not allocated for docks how does a person request a review?

Comment (h) - How can we improve chances of getting permits for boat docks in Ridgewater Estates, Mount Juliet?

Response - The Old Hickory Resource Manager's office carefully reviews all requests for allocation changes and comments in regards to the Shoreline Management Plan. These recommendations are coordinated with the District and Division levels prior to final approval.

During our public comment period we received written requests to reevaluate 40 areas. After full consideration of comments received, and an evaluation of these locations as compared to the criteria for Shoreline Allocations changes, we have opened 5.48 miles of shoreline. These newly opened areas were previously classified as Limited Development mowing only. The following criteria were used to make the determination:

- a. Docks must be in a Limited Development Area. If sufficient controversy or demand exists, consideration should be given, consistent with other factors, to a process or reevaluation of the shoreline allocations and plans. Proposed uses cannot interfere with authorized project purposes, public safety concerns, violate local norms or result in significant environmental impacts.
- b. Consideration must be given to the effects of added private boat docks on commercial marinas.
- c. Such use should not "despoil" the shoreline nor inhibit public use or enjoyment thereof.
- d. The installation and use of such facilities will not be in conflict with the preservation of the natural characteristics of the shoreline nor will they result in significant environmental damage.
- e. They will not create a safety hazard and inhibit public use or enjoyment of project waters or shoreline. Private floating recreation facilities will not be placed so as to interfere with any authorized project purposes, including navigation, or create a safety or health hazard.
- f. Group owned boat-mooring facilities might be permitted where practicable (e.g., where physically feasible in terms of access, water depths, wind protection, etc.)

Group owned facilities may be allowed to limit the proliferation of individual facilities.

- g. Locations must consider the operating objectives and physical characteristics of the project.

Even though a particular area of the lake may be classified as a Limited Development, this designation does not guarantee that a boat dock permit will be issued at a specific location within that area. Decisions regarding the issuance of a permit are made after a site inspection is completed. Each application will be considered based on the amount of lake frontage, shoreline characteristics, water depth (the dock must be able to float during normal pool elevation of 445 msl.) and impact on public use.

To be eligible for an individual private dock, an applicant must own private property which qualifies for a residential building permit and directly adjoins public property (not separated by a public road or driveway, public right-of-way, or leased property) at the proposed dock location. Applicants must have proof of ownership along with a plat map of the property that has been prepared by a licensed surveyor. There must be a minimum of 65 feet of allocated shoreline to qualify for an individual dock permit.

5. Comment (a) - Review SMP more frequently - every 2 years instead of 5 years.

Comment (b) - Like to see a greater frequency of revising shoreline plan from 5 years down to 3.

Comment (c) - Why is SMP review only every 5 years?

Comment (d) - Concerns with period of time between shoreline reviews.

Comment (e) - How do we get a meeting to petition a change in length of time between allocation changes?

Comment (f) - Is tonight's forum the only method of affecting the SMP?

Comment (g) - Allow for e-mail for questions.

Comment (h) - Like to see allocation map included with shoreline plan.

Response - As a result of increased public interest in the 1980 Shoreline Management Plan, a public review process was initiated in the fall of 1980. Two public meetings were held in January 1981. A citizen's advisory committee was formed to study the existing plan and recommend changes. Based on a comprehensive review of the committee's report, information gained through the public involvement process and the 1980 plan, policy changes were made and a new plan was implemented in February, 1983. The plan was updated in October of 1989, in June 1995, and in March 2001 as a result of the public involvement.

Since 1983, the Resource Manager has conducted annual public workshops to keep the public - including realtors, developers, and adjoining property owners - informed on matters affecting them, to answer their questions about the management of Old Hickory Lake, and to listen to what they have to offer concerning lake management. Regular input from adjoining private property owners, dock builders, environmental groups, state agencies, and the public in general has been considered in developing our Shoreline Management Plan.

Old Hickory Lake personnel are available to address any questions concerning the Shoreline Management Plan and policies. Anybody is welcome to come to the Resource Manager's office at any time to discuss policies, problems, or offer suggestions. We welcome this. Communication is a two way street, and we need to know your view or realize you have questions before we can respond. Let us know if you have specific suggestions that can help us communicate more effectively.

Periodic newsbriefs are mailed to all permittees and anyone who requests to be on the mailing list to keep them informed on shoreline management policy, best management practices, environmental stewardship trends, and other topics of current interest. If you have not been receiving newsletters, please call and we will be sure to add your name to our list.

In all practicality, the Shoreline Management Plan cannot be reviewed more frequently than every five years because it is such a massive undertaking and our staff is relatively small. Other aspects of lake management would suffer if we were to focus all our resources on annually

updating the management plan. However, we take comments and suggestions continually to aid us during our five year reviews. In addition, public workshops will be held for any major update in the Shoreline Management Plan. This will also apply to policy revisions which affect changes in land use and/or impact a large number of people.

6. Comment (a) - Letters written to request opening of the shoreline should be answered with an explanation if the request is denied. Transparency in the process would be in everyone's best interest

Comment (b) - There is no public record or audit trail for current shoreline designation?

Comment (c) - Will we receive written justification if our request was approved or denied?

Comment (d) - Would like an opportunity to comment if my portion of shoreline is not approved for boat docks.

Comment (e) - I think property owners should have a 30 day rebuttal period for all changes before they are finalized.

Comment (f) - If no dock - asking for justification and time frame.

Response - The Old Hickory Lake Resource Managers office carefully reviews all requests and comments for allocation changes. Due to the large number of requests and the time required to evaluate each individual area, this is a very lengthy process. All decisions are forwarded to the District and Division levels prior to final approval. Once decisions are finalized, a summary of Shoreline Allocation Changes will be posted on the Old Hickory Lake Website. This summary will detail each area evaluated, date of site visit, the number of comments received from that area, the number of private lots affected by the request and the current status of the area before completion of this review is listed.

Comment (a) - Feedback with e-mail?

Response - The approved SMP and answers to questions will be posted on our website.

D. SHORELINE MANAGEMENT

1. Comment (a) - Concerns about enforcement inconsistency of SMP - be consistent.

Comment (b) - There seems to be inconsistency in the process.

Comment (c) - Who is monitoring consistency of installing rip rap, removing dilapidated docks, and unapproved flotation?

Comment (d) - Would like to see Resource Manager manage the shoreline with a common sense approach.

Comment (e) - Inconsistencies from different rangers in interpretation of SMP.

Response -We also agree on the need for consistency. The Resource Manager and staff work hard to manage, conserve, and protect many miles of shoreline. It is not always possible to find and correct problems and/or violations as they occur. Our management policy is to systematically correct each violation by performing routine patrols, renewal inspections and onsite meetings. We conduct patrols to detect and discourage violations of Shoreline Management regulations and unauthorized encroachments onto public lands. We perform water patrols and occasional aerial surveillance, so you may not always be aware that we are out there doing our job. Anytime you suspect that an individual is improperly using public lands, just call and a ranger will investigate.

There are violations that we miss, however it is not due to favoritism. Keep in mind that we are human and we do make mistakes. We don't play favorites or give privileges based on whom someone may know. We sincerely believe we are consistent in the application of the Shoreline Management policies. This doesn't mean we are always so absolutely rigid that we cannot adapt to common sense and needed improvements.

Keep in mind that throughout the years, changes in management policy have taken place. Some items on public lands that were permitted in the past are grandfathered and would not be approved under the present SMP.

In addition, certain encroachments may appear to be on public property, but in reality are located on private property. The distance of the Corps boundary is site specific depending on the terrain and other factors. Some private property has land adjacent to public land while other areas public land has eroded so that private property is adjacent to water. Contact the Resource Manager if you have a specific question about the location of a boundary line in a specific area.

2. Comment (a) - Adjacent property owners need to contact designated ranger for their area.

Comment (b) - Interested in knowing who our Corps representative is.

Comment (c) - Could the Corps hold meetings with the public to walk them through the application process?

Response - New landowners adjacent to public property need to contact the Resource Manager's office within 30 days of purchase of their property to obtain any necessary permits and/or licenses. At this meeting, the ranger for that area will discuss the application process for obtaining a permit/license.

Old Hickory Lake is divided into 5 regions, each handled by a separate ranger:

Area 1 - Extends from the Old Hickory Dam in Hendersonville to Bahia Mar Point

Area 2 - Begins where Area 1 stops and continues to Courtney Cove off Rehoboth Lane.

Area 3 - Extends from Courtney Cove to the Smith County line.

Area 4 - Begins at the Smith County line on the left bank and continues to Cedar Creek Yacht Club off Bender's Ferry Rd.

Area 5 - Extends from Cedar Creek Yacht Club to the Old Hickory Dam.

3. Comment (a) - Difficulty/complexity to get changes accomplished or get definitive answers from the Corps

Response - The Shoreline Management Plan (SMP) provides policies and guidelines for the effective long-range management of the shoreline resources of Old Hickory Lake.

The purpose of the Old Hickory Lake SMP is to limit private exclusive use of public lands while managing natural resources. Our Natural Resources Management mission is to manage and conserve those natural resources, consistent with ecosystem management principles, while providing quality public outdoor recreation experiences to serve the needs of present and future generations.

4. Comment (a) - More emphasis placed on wildlife habitat in shoreline management.

Response - A primary goal of the management of Old Hickory Lake resources is to establish, protect, and maintain acceptable fish and wildlife habitat. To meet this goal, approximately 36 percent of the shoreline of Old Hickory Lake is designated as Protected Shoreline Areas. These are areas which have been established to retain the natural, undeveloped character of the shoreline, protect fish and wildlife habitat, maintain shoreline aesthetics, prevent erosion, and to protect other environmental values of the lake. Islands on the lake are also protected. No cutting of trees and shrubs or underbrushing is allowed on islands. The ultimate goal in these areas is to protect them from private uses, which would be contrary to the long-term, best interests of the general public. A large part of the protected shoreline is within the Tennessee Wildlife Resources Agency (TWRA) Wildlife Management Area.

In addition, we added a section to the 2006 Shoreline Management Plan to address fish and wildlife enhancements on public property: "As a result of the continued loss of fish and wildlife habitat throughout the Old Hickory Lake watershed, the Resource Manager encourages fish and wildlife habitat enhancements on public property. Enhancements which benefit wildlife and do not adversely affect project management goals or missions will be approved on a case by case basis. Examples of habitat enhancements include the planting of native vegetation, establishment of nesting/forage habitat such as monarch butterfly way stations, construction of chimney swift towers, etc."

5. Comment (a) - Corps needs to hold dock owners accountable for proper safe maintenance of their dock facilities

Response - Public Law 97-140 amended by Section 1134(d), Public Law 99-662. Public Law 97-140 stated that no dock, cabin or appurtenant structures, lawfully installed on or before December 29, 1981, shall be required to be removed before December 31, 1989, from a water resources reservoir or lake project administered by the Secretary of the Army. This law was amended by Section 1134(d), Public Law 99-662 which states that permits for such facilities that existed as of November 17, 1986, may not be revoked unless the dock or structure presents a safety hazard or the permittee fails to comply with the conditions of the permit, or the District Engineer revokes the permit when the public interest necessitates such revocation. A grandfathered dock may be repaired or rebuilt to its original permitted shape and size or smaller with permission from the Resource Manager. If a structurally sound dock is damaged or destroyed by a storm or natural disaster, then the Resource Manager can authorize repairs.

When the dock presents a safety hazard or the permittee fails to comply with permit conditions, all deficiencies must be corrected upon receipt of notice from the Resource Manager. If all unsatisfactory conditions are not corrected within the specified time period, the permit will be revoked, the dock must be removed, and another permit or outgrant will not be issued.

6. **Comment (a) - What is the viability for long term plans for Old Hickory Lake Ski Club at Weisman Cove?**

Comment (b) - Can the ski course and docks co-exist?

Comment (c) - Would like to see ski course stay.

Comment (d) - Old Hickory Lake Ski Club retain present location?

Comment (e) - Restrictions on proximity of boat docks to a ski course?

Comment (f) - Would like to see ski course remain in Weisman Cove.

Comment (g) - Not really sure why there is so much controversy between ski club and residents of Fairvue.

Comment (h) - Old Hickory Lake Ski Club Slalom Course for water skiing to remain in Weisman Cove.

Comment (i) - Dock permits that impact pre-existing community used such as slalom course be a community problem which all work together to resolve.

Response - Old Hickory Lake is a popular site for a variety of outdoor recreational activities. Recreational demands and developmental pressures increase each year, yet the total amount of public and water area remains fixed. Sound management is necessary to provide optimum use of finite project resources. In accordance with our responsibilities under the provisions of the National Environmental Policy Act of 1969, a primary goal of management of lake resources is to establish, protect, and maintain acceptable fish and wildlife habitat, preserve aesthetic qualities, and promote the safe and healthful use of the lake and surrounding public lands by the general public. The Old Hickory Lake Shoreline Management Plan (SMP) provides policies and guidelines for the effective long-range management of the shoreline resources of Old Hickory Lake. It contains definitive guidance, which balances certain private exclusive use of public resources while providing for protection and restoration of natural environmental conditions.

C. CORPS BOUNDARY LINE

1. Comment (a) - What criteria are used by Corps to determine property boundaries?

Comment (b) - Why is Corps' property lines not consistent with elevation?

Comment (c) - Corps property delineation at Fairvue is at an elevation significantly less than the west side of Station Camp Creek. Also Fairvue allowed significant clear cut. Also several new homes encroach the lake. Is there a different application of the rule? If not, why the apparent discrepancy? Note: Fairvue's government line is twelve feet below the elevation on the land across Station Camp Creek.

Comment (d) - What schedule does Corps use to resurvey property line?

Response - The distance of the Corps boundary to the water will vary depending on the terrain. Imagine the "bathtub ring" effect that would occur if the level of Old Hickory Lake was raised by 6 feet. The water would extend back considerably from the normal shoreline in low areas, while along bluffs there would be little horizontal difference. Of course, the actual acquisition was not that simple and did not follow a specific contour. The contour was used as a general guide, however actual acquisition followed standard meets and bounds using available surveys, deeds, title data, maps, and topographic features to determine the actual locations of the lines. There is now a well-marked, accurate public property line delineated around the entire lake. We attempt to re-mark the line every five years. Some people apparently mistake the re-marking for a new survey and believe the lines may be changing. This is not the case. We realize that there may be specific instances in which questions exist as to how the boundary lines were delineated, or about old plat maps. Contact the Resource Manager if you have a specific question concerning the boundary line.

2. Comment (a) - If you have less than 65 feet frontage, why can't you purchase land to meet qualifications?

Comment (b) - Can I buy land?

Response - Additional **private** property may be purchased; however, if lots or parcels of land are subdivided or altered then all affected parcels and permitted activities must conform to the current requirements of the Shoreline Management Plan.

3. Comment (a) - Is there a setback from Corps line to place structures on private property?

Response - At Old Hickory Lake, there is no setback from the public property line. However, we expect that adjacent land owners adhere to all local codes and ordinances. Our plan clearly states what can be approved and where. If you have any questions, please contact the Resource Managers Office.

EDUCATION

1. Comment (a) - Public education about reasons for strict regulations.

Comment (b) - Public information about shoreline allocation maps.

Response - Official shoreline allocation maps are located in the Resource Managers Office and can be reviewed at any time upon request.

2. Comment (a) - Educational materials regarding lake and surroundings on monthly basis. Website good.

Response - We strive to keep the public up to date with frequent updates of our web-site, annual public workshops and periodic mailings of our "Lakecast" newsletter. We also publish news releases in local newspapers to keep the public informed of public events, volunteer opportunities and other Corps related activities.

BOAT RAMPS

1. Comment (a) - Ramp at Pine Cove needs repair

Response- Management of Pine Cove Boat Ramp is the responsibility of Metropolitan Trousdale County.

2. Comment (b) - Plans to upgrade Station Camp Creek Access Area by Corps or others?

Response - Other than routine operations and maintenance projects such as paving, replacing signs, striping, etc., we have no plans to upgrade this area

2. Comment (a) - Would like ramp etiquette rules posted on each ramp -especially at Station Camp

Comment (b) - Ramp etiquette rules

Response - We are currently in the process of installing signs and bulletin boards at each launching area stating rules and regulations for using launching ramps safely.

LAKE DRAW-DOWN

1. Comment (a) - Why is there no annual draw-down for erosion control?

Comment (b) - When will the lake be lowered so we can clean up the shoreline?

Comment (c) - Why hasn't annual draw-down occurred recently?

Comment (d) - For erosion control, drop lake levels 10-12 feet on weekends.

Comment (e) - Maintain habitat by draw-down to allow removal of silt

Comment (f) - Is another draw-down for dock repair and silt removal planned?

Response - Drawdowns that take place on Old Hickory Lake must be carefully coordinated to ensure that other project purposes such as navigation, hydropower generation, flood control, and recreation are not adversely affected. In addition, impacts on fisheries and hunting must also be taken into account when trying to coordinate a lake drawdown. Furthermore, due to the ongoing Wolf Creek Dam rehabilitation project, it will not be feasible to have a drawdown until such time as water conditions on the Cumberland River return to normal. Once Wolf Creek Dam repairs are completed, we will consider once again attempting to coordinate a drawdown.

DREDGING

1. Comment (a) - What are alternative ways to get rid of dredge materials?

Comment (b) - Who picks up the expense of dredging for individuals?

Comment (c) - Can I individually get a permit and perform work for silt removal at dock?

Comment (d) - Is it difficult for existing dock owner to dredge access channel and around dock?

Comment (e) - Would there be opportunities for the Corps to dredge due to environmental issues and water levels?

Comment (f) - Does the Corps plan to dredge the mouth of Spencer Creek?

Comment (g) - Management plan needs to eliminate dredging for new development and address only existing facilities.

Comment (h) - Corps should remove stagnant water by dredging.

Response - Applications for dredging are accepted in Limited Development Areas allocated for boat dock privileges to provide sufficient water depth for boat access. Detailed plans for controlling siltation and erosion of dredged material and disposal of spoil material shall be described on the initial application. If an off-site retention pond is used and the runoff has the potential to re-enter the lake, detailed engineering plans will be required for the design and construction of the retention pond. Performance bonds may be required for jobs with a complex or large scope of work.

While we would love to be able to dredge all the shallow areas on Old Hickory Lake, there simply is not enough money available for these extensive projects. Many tributaries on the lake that catch run-off from upland developments and collect silt. We are taking proactive measures to address these issues. We have encouraged local officials to require builders to install siltation fences and straw bales to control runoff from upland developments.

WILDLIFE

1. Comment (a) - What have happened to the shad? Not many schools any more like 14-16 years ago.

Response - According to TWRA fisheries biologists, populations of shad on Old Hickory Lake are cyclic, meaning, populations may vary from year to year. It is hard to pinpoint one major factor contributing to either a "good year" or "bad year". The management of fisheries resources on Old Hickory Lake is the responsibility of the TWRA. You may contact their fisheries division at 615-781-6575.

2. Comment (a) - Something needs to be done about too many geese

Comment (b) - Need to control geese

Comment (c) - Management of Canadian Geese on private and public property

Response - Since Canada Geese are classified as migratory waterfowl, we are limited in our methods of control. We have an agreement in place with USDA Wildlife Services where we pay for the geese to be relocated within our recreation areas. If an individual landowner wishes to have resident geese relocated from their property, they can call USDA Wildlife Services at: 615-736-2246.

3. Comment (a) - How to find out about TWRA leased areas?

Response - The Corps currently has a license agreement with TWRA for management of 4,240 acres of land and water in and around Old Hickory Lake comprising the Old Hickory Lake Wildlife Management Area. For more information on these areas, please contact area manager **Dan Lavicott at (615) 444-6673**.

4. Comment (a) - What are the regulations on duck blind locations regarding residential areas?

Response - Duck blinds on Old Hickory Lake are managed by the TWRA. Each year, every blind on the lake is evaluated and a determination is made whether the blind needs to be left in place, moved, or cancelled. Regulations state that blinds must be located no closer than 100 yards to any dwelling. In addition, duck blinds on Old Hickory Lake are installed in such a manner that any shooting that takes place is in a direction away from residential areas.

5. Comment (a) - How do the wild bird sanctuary goals tie in with hunting?

Response - The State of Tennessee manages over 27,000 acres on Old Hickory Lake for the administration of programs designed to increase the numbers of fish, game and non-game wildlife. Most of this is primarily accessible by water. Much of this land is open for hunting. Their management objectives include balancing demand for hunting with protection of native plants and animals, including birds.

6. Comment (a) - What is the Corps' view on the impact of docks and duck blinds on the Rookeries?

Response - It is the intent of the Old Hickory Lake Shoreline Management Plan to improve the natural aspects of the project and to provide for increased wildlife habitat and biodiversity while providing optimum benefits to the public. Unlimited private exclusive use of project land and water is not in the best interest of the general public and any requests for such must take into account potential impacts on wildlife and biodiversity.

7. Comment (a) - Allow fishing access walkway across shallow area.

Response - The Corps of Engineers in conjunction with the Tennessee Wildlife Resources Agency has constructed various fishing piers including handicap accessible fishing platforms at Rockland Recreation Area and Shutes Branch Day Use Area for public use.

CHANNEL MARKERS

1. Comment (a) - Who does regular maintenance on channel markers and navigation aids?

Comment (b) - Why can't we have better marker/buoy retention?

Comment (c) - Navigation buoys should be more visible at night - solar lights or reflective tape or paint.

Response - Installation and maintenance of buoys on the main channel of Old Hickory Lake is the responsibility of the United States Coast Guard. Buoys used to mark channels in the Mississippi River System (which includes the Cumberland River) conform to the standard lateral system on buoyage in the United States. All buoys are equipped with reflectors. Should you find that a main channel buoy is missing or in disrepair, please note the river mile and contact the United States Coast Guard at 502-779-5422.

Secondary channel buoy installation and maintenance is the responsibility of the Old Hickory Lake staff. The U.S. Aids to Navigation System on the Western River System specify the accepted navigation and regulatory markers on Old Hickory Lake. In addition, buoys on secondary channels

are maintained in accordance with the Cumberland River Navigation Charts which are published by the US Army Corps of Engineers, Nashville District. If you wish to purchase these, or other navigational charts, please contact the map room of the Corps of Engineers, Nashville District Office at 615-736-7864.

2. Comment (a) - Poorly marked channels - Fairvue Plantation.

Response - As stated above, all secondary channel buoy installation and maintenance is the responsibility of the Old Hickory Lake staff and buoys are maintained in accordance with the Cumberland River Navigation Charts. According to the navigation charts, only one red channel marker is maintained in Station Camp Creek and it is located adjacent to Lock 4 Recreation Area.

VEGETATION ALTERATION

1. Comment (a) - What is the process of removing dead/diseased trees?

Comment (b) - Can I clear Corps property of pest/dangerous plants?

Comment (c) - What are conditions under which it is permissible to remove all vegetation obstructing a view?

Response - No standing trees on public property are allowed to be cut without authorization from the Resource Manager; however, the Resource Manager can authorize the removal of damaged trees, fallen trees, and thinning for the removal of invasive plants and promotion of biodiversity. Diseased or standing trees that pose a severe safety hazard can be removed with prior approval. If a tree poses a hazard, a ranger will investigate and determine what action is appropriate. Normally, a portion of the trunk will be left standing to provide habitat for wildlife and allow for the natural decay of the material. However, fallen trees, driftwood, debris, and any form of garbage can be removed without formal approval. Generally, whenever we allow a standing tree to be removed, it must be replaced with trees (a minimum of two-inch base diameter) planted at a location designated by the Resource Manager. Limbs may be trimmed up to one third the height of the tree, not to exceed 12 feet. Holes and eroded drainage areas on public land can be

filled and reseeded. The Resource Manager, on a case-by-case basis, will consider all these activities. In no event will permission be granted to cut a healthy tree when the relocation or modification of a private structure is feasible. Under no circumstances will healthy, standing trees be allowed to be removed to facilitate a more favorable view. It is our intent to emphasize the importance of maintaining and restoring the natural forest habitat of the shoreline.

2. Comment (a) - What can you remove with a mowing permit?

Comment (b) - More specific mowing/clearing plans

Response - In Limited Development Areas, adjoining private property owners may apply for a vegetation alteration permit for control of woodland understory vegetation (weeds, vines, briars, invasive plants, etc.) and to mow the public property between their property and the lake. The amount of public property mowed generally will not exceed 100' wide or one-half an acre, whichever is less. The unmowed sections may be mass planted with selected species of trees and/or shrubs which benefit wildlife. The Resource Manager or his/her representative will determine the limits of the area for all vegetation removal. Decisions regarding the issuance of a permit are made after a site inspection is completed. Where feasible, some area will be left unmowed to provide cover and edge for wildlife. In areas not previously mowed, the selective cutting and continuing control of woodland understory vegetation and the thinning of tree seedlings is allowed. Vegetation alteration will not be permitted in areas containing large populations of wetland plant species or where significant adverse environmental impact will result.

3. Comment (a) - Wants consistency in enforcing/allowing tree removal - Station Camp.

Comment (b) - How are new developments authorized to remove vegetation while other individuals are not authorized to remove it?

Comment (c) - Clearcut of land for development. Disparity of rules.

Response - Keep in mind that the location of the public property boundary line varies from location to location. While the property line may be located some distance from the water in some locations, in others the boundary line may actually be eroded to the point of actually being in the water. What may appear to be clear-cutting of vegetation on public property is in reality removal of vegetation on private property.

4. Comment (a) - Less restrictions on vegetation removal in residential areas.

Response - Less restrictions on vegetation removal in residential areas would conflict with the purpose and goals of the Shoreline Management Plan which provides policies and guidelines for the effective long-range management of the shoreline resources of Old Hickory Lake. This plan contains definitive guidance, which balances certain private exclusive uses of public resources while providing for protection and restoration of natural environmental conditions.

GRANDFATHERED PRIVILEGES

1. Comment (a) - What are the rules concerning grandfathered docks?

Comment (b) - Docks overlooked that do not meet current standards.

Response - The "grandfather clause" is a provision which allows existing land-based privileges of a type no longer permitted to be continued by the individual who originally obtained the permit or real estate outgrant, provided he or she adheres to all terms and conditions of the permit or outgrant. Examples of land-based privileges are portable buildings, patios, concrete picnic tables, grills, etc. Such permits or outgrants shall remain in affect until:

- a. The transfer of ownership of the individual's adjoining private property.
- b. The death of the individual and spouse.
- c. Permit or outgrant conditions are violated and not corrected upon reasonable notice.

d. The individual voluntarily discontinues the private use covered by the grandfather clause.

When any of these events occurs, the permit or outgrant becomes null and void. Those land-based structures not necessary for access to the dock will be removed. Any future private use on public property at that location must conform to current requirements of the shoreline management plan. Public Law 99-662 allows a dock to remain if it meets the requirements and conditions of the law.

2. Comment (a) - Why shouldn't the Corps do away with grandfather clause and increase fees to open up more areas?

Response - In an effort to implement our Shoreline Management Plan fairly with regard to existing private use on public land, the Resource Manager will honor all prior commitments of the government. Permit and license fees in no way affect decisions to open areas for docks.

LAUNCHING RAMPS

1. Comment (a) - What about a launching ramp in our area or a launching ramp or floating dock for the neighborhood?

Comment (b) - If can't have dock, why not launching ramp permit?

Comment (c) - Possibility of public launch area in a subdivision

Comment (d) - Private launching ramps - are they grandfathered and are they permitted now?

Response - Private boat ramps and storage buildings are not allowed on public land. There are 35 Corps recreation areas on Old Hickory Lake, which provide convenient access to the lake. In addition, many older subdivisions have a public right-of-way set aside to afford access to the lake. There are some existing private ramps on the lake that are "grandfathered". The "grandfather clause" is a provision which allows existing land-based privileges of a type no longer permitted to be continued by the individual who originally obtained the permit or real estate outgrant, provided he or she adheres to all terms and conditions of the permit or outgrant.

DEBRIS/TRASH

1. **Comment (a) - Who is responsible for removal of debris in the lake?**

Comment (b) - Plans for drift removal?

Comment (c) - How can SMP address drift trash, debris?

Comment (d) - Like to see trash reported and removed.

Comment (e) - What process or assistance is there for trash removal around the lake? (large debris)

Comment (f) - Do we need permission to cut up large trees that wash up on the shoreline?

Comment (g) - Use prison labor to clean dangerous shoreline debris instead of roads.

Comment (h) - Keep shoreline clean.

Response - As anyone knows who lives on the lake or has ever boated on Old Hickory, drift and debris are problems that we must all continue to work at together. We recognize that homeowners do a valuable service in keeping their areas of shoreline clean. The Old Hickory Shoreline Management Plan allows fallen trees, driftwood, debris, and any form of garbage to be removed without formal approval from the Corps.

In addition to debris removal by adjoining landowners, we organize a lake-wide clean-up effort at least once each year, using scouts, civic groups, school groups, and anyone who will volunteer. With budget constraints that limit essential services, most people would agree that litter clean-up efforts will have to be a community effort conducted with volunteer services. We will continue to do all we can to help organize and publicize clean-up efforts through "Take Pride in America" campaigns and other means.

2. **Comment (a) - Need plan to address debris resulting from docks that are not maintained causing a safety hazard to boaters**

Response - As a part of Shoreline Use Permit Conditions, the permittee agrees to operate and maintain any permitted

facility and/or activity in a manner so as to provide safety, minimize any adverse impact on fish and wildlife habitat, natural, environmental, or cultural resources values and in a manner so as to minimize the degradation of water quality. Should the permitted structure fall into disrepair, the Resource Manager will work with the permittee on a timeframe to correct any violations. Failure to correct violations will result in the revocation of a Shoreline Use Permit and removal of the facility by contract or otherwise with the permittee incurring costs of removal.

3. Comment (a) - Can we get a burn permit to burn drift and logs on Corps property?

Response - Burning of driftwood and storm-damaged vegetation on public lands may be approved. Specific location(s) for burning must be approved by the Resource Manager. The property owner is responsible for complying with all state, county, and local burning requirements that apply.

4. Comment (a) - Are there any plans to remove large tires from outside of Windstar Bay Cove?

Comment (b) - Who would remove sunken jet-ski from main channel between Cages Bend and Fairvue?

Response - We are working to address these issues and appreciate calls and letters from concerned individuals to alert us to any problems.

AQUATIC VEGETATION

1. Comment (a) - Is there a legal method to eliminate milfoil?

Comment (b) - Algae along shoreline - in stagnant water - concerned with smell.

Comment (c) - Weed control method for water weeds

Response - Eurasian watermilfoil (Myriophyllum spicatum) has the potential to cause problems on the lake. In 1989 the exotic aquatic plant was discovered on the lake. By the summer of 1989 the plant was already established and presented access problems in some recreation areas,

including several boat ramps and swimming areas. In 1991 the Corps along with the State of Tennessee implemented a treatment program and we used EPA approved chemicals to treat several areas. In a five-year period, we were able to control the plant to a manageable level. We recognize the benefits of aquatic plants and our goal has never been to eradicate aquatic plants in Old Hickory Lake. The Corps has not chemically treated milfoil on Old Hickory since 1995.

It is only when plants grow out of control and clog embayments, or algae causes water quality, odor, and aesthetic problems that chemical control is needed. If chemical means are necessary to control invasive exotic vegetation, an application must be submitted and written permission obtained in advance from the Resource Manager. Chemicals must be applied by a licensed and certified commercial applicator. Only those herbicides specifically approved for aquatic use will be authorized and shall be used in strict accordance with label restrictions. Applications can be small-scale spot treatments or could be large areas, but there must be plants present before we allow an area to be treated.

The chemicals that are currently registered for use have undergone rigorous testing in the field and laboratory so their persistence and effects on water quality, fish, wildlife, and human health are well documented. In most cases those agents registered by EPA degrade into inert, harmless by-products within a short period of time. Each herbicide incorporates a "label" specifying its proper use, application rates and procedures, and safety information along with other product information.

When permits are issued to spray for aquatic plants, the applicant must notify all property owners within 150 feet of boundaries of treatment area as shown on plans of the proposed application area and inform them of the proposed date and time of the treatment. The applicant must supply the Resource Manager with the name(s), address(es) and phone numbers of these property owner(s) as well as original signatures of each property owner involved. It is the applicant's responsibility to make the contractor fully aware of all permit plans and conditions prior to commencement of the work and furnish a copy of the permit to the contractor.

The applicant must also notify adjoining landowners with water intakes within the proposed treatment area. In the case of aquatic treatments, the adjoining landowners must be informed to discontinue use of their water pumps until the residual time limits have expired. See herbicide manufacturer's label for distance allowed from potable water intakes. The applicant(s) must supply the Resource Manager with the name(s), address(es), phone number(s), and signature(s) of each property owner with affected water intakes, showing their acknowledgment of the proposed treatment.

Warning signs must be posted on land at the treatment area boundaries and at 50-foot intervals along the shoreline of the treatment area.

2. Comment (a) - Is there any plan to exterminate cormorant from the lake?

Response - At this time, we have no intentions of trying to eradicate cormorant from Old Hickory Lake.

EROSION CONTROL

1. Comment (a) - Corps consider financial participation in cost of erosion control.

Response - We have for many years controlled erosion in our recreation areas and plan to continue to allocate funds for erosion control. We also develop operational management plans that address biodiversity and erosion control within Environmental Restoration and Conservation Areas. A no cost alternative to placing riprap or other erosion controls is to leave an unmowed vegetation buffer strip. The Resource Manager has established buffer strips at Cages Bend Campground as a demonstration area.

2. Comment (a) - For erosion control, why can't dock owners post "No Wake" buoys or signs?

Response - The U.S. Aids to Navigation System on the Western River System and the Uniform State Waterway Marking System specify the accepted navigation and regulatory markers on Old Hickory Lake. No-wake areas in and along the commercial channel obstruct and impede navigation causing safety and operational problems for commercial traffic. Generally, a No-wake area in a location outside of main navigation and secondary channels does not adversely affect

through boating; however, a navigation review is necessary on secondary channels to insure that the area will not adversely affect through traffic. No-wake areas are primarily enforced by the Tennessee Wildlife Resource Agency (TWRA). No-wake areas are established by state law and are approved for marinas and certain public boat launching areas after review by the Resource Manager. No-wake designations will not be given to solely protect private docks.

3. Comment (a) - Why can't we have speed regulations on lake edge to stop wake?

Response - There is a concern about erosion caused by jet skis and large boats. Tennessee Wildlife Resources Agency (TWRA) is primarily responsible for the enforcement of boating safety laws; however, we can and do issue citations for violations of posted restrictions and for operating jet skis or boats in a careless, negligent or reckless manner. Generally, no wake buoys are placed around commercial marina sites and in coves where there are boat ramps or other recreation facilities. These zones are for safety purposes. Although we recognize the problems caused by wave action, we are not proposing a speed limit for the lake.

LAKE ELEVATIONS

1. Comment (a) - Fluctuation in water level - Why does the lake level fluctuate? Insufficient water depth.

Comment (b) - Why are summer water levels so low over the past few years?

Comment (c) - Is normal pool elevation decreasing and will it continue to decrease due to hydropower demand?

Response - Old Hickory Lake is kept at a relatively constant elevation throughout the year for navigational purposes. Since Old Hickory Lake is located on the lower Cumberland and has a relatively small storage capacity in relation to water flows, there is a high flow through rate of water. Although this is not primarily a flood control dam, the Corps owns approximately 5 feet above the normal lake elevation of 445 mean sea level in order to control flood conditions. Compared to most of the lakes in Tennessee and in the country, Old Hickory Lake's elevation fluctuates

very little. This makes the lake very appealing because it can be used practically year-round for recreational boating of large vessels. The fluctuation that we experience is primarily due to power generation. The power plant has four generators with a capacity of 25,000 kilowatts each. The generator running time is determined by the amount of river flow and the need for electricity. Generally, the water level fluctuates about one-half to one foot daily. In the summer time the peak need for electricity is in the evenings and in the winter it is in the mornings. However, the generating schedule can change at anytime without notice based on the system needs for kilowatt hours and voltage stability. It would be ideal to maintain the lake levels at 445 msl, however; the plan of operation for storage and routing floodwaters upon their release is very complex and is integrated over the entire watershed.

Normal pool elevation is not decreasing; however, siltation may make it appear this way. Siltation poses a major challenge on our lake. Runoff from upland developments and wave action erosion are the primary contributing factors. We are taking proactive measures to address these concerns by requiring erosion control when needed. We have encouraged local officials to require builders to install siltation fences and straw bales to control runoff from upland developments.

WATER QUALITY

1. **Comment (a) - Are there reports on water quality?**

Comment (b) - Testing for water quality?

Comment (c) - Water quality? Monitoring any new development (ie Fairvue)

Comment (d) - Deterioration of aquatic habitat in Shute's Cove - concerned that adjacent development contributing to siltation.

Comment (e) - Heavy fines for developers who do not take measures to prevent siltation.

Comment (f) - Fox land and Fairvue redirected the runoff to lake.

Response - The Resource Manager is committed to protecting and accelerating the restoration of our watersheds. The Corps has coordinated meetings with developers, contractors and the general public to share information about erosion control and best management practices to reduce siltation and run-off. The Resource Manager will continue to actively work with local governments and watershed associations such as the Old Hickory Lake Watershed Association and the Cumberland River Compact within the watershed to host educational workshops. Rangers routinely patrol the watershed to ensure infractions of state water quality laws are reported.

Particular attention is given to the Middle Fork of Drakes Creek, Spring Creek, East Camp Creek, and Bartons Creek. These creeks are on Tennessee's Department of Environment and Conservation, Division of Water Pollution Control 303(d) list. The 303(d) list is a compilation of the streams and lakes in Tennessee that are "water quality limited" or are expected to exceed water quality standards in the next two years and need additional pollution control. Once a stream has been placed on the 303(d) list, it is considered a priority for water quality improvement efforts. Our office will work to report sources of pollutants on these creeks and to eliminate all adverse agricultural and land use activities on public land. Several of our environmental restoration sites are located on these creeks.

The Old Hickory Lake Shoreline Management Plan contains requirements that can reduce the impact and improve water quality. The spilling, pumping or discharge of contaminants, pollutants, waste, including but not limited to, human or animal waste, petroleum, swimming pool discharge, gravel dredging, siltation from unprotected construction sites, and industrial or commercial products and by-products, on project land or into project waters is prohibited. Private individuals, residential and commercial developers, road construction companies, and farmers are encouraged to use structural techniques, stabilization of storm water conveyances, stream habitat improvement, riprap restoration, and detention basin on private land to prevent pollution from entering the lake. The public is encouraged to contact the Resource Manager concerning any activity whether on private or public land that may result in pollution of the lake.

BOATING

1. Comment (a) - Boater training and certification for all

Comment (b) - Would like boater training/certification required by all for safety.

Comment (c) - Are there any plans to address or regulate power boats on the lake?

Comment (d) - The proliferation of wakeboarding results in many boats throwing three foot plus wakes within 50 feet of docks causing damage. What can be done? Quiet inlets such as Station Camp are subjected to loud and sometimes profane music coming from wakeboats. Is there a noise ordinance and how is it enforced?

Comment (e) - Environmental - noise pollution - wakes. Enforcement? What kind?

Response - We believe that each boater has the responsibility to respect other boaters and practice safe operating procedures. Accidents can and do happen if safety rules are ignored. Boaters are urged to wear approved personal flotation devices, maintain all equipment and practice appropriate rules of the road while operating on the lake. It is the responsibility of the Tennessee Wildlife Resources Agency to enforce and administer the provisions of the "Tennessee Boating Safety Act." Anyone born after January 1, 1989 must show the TWRA-issued wallet Boating Safety Education Certificate as proof of successful completion of the TWRA Boating Safety exam. For information on taking a State of Tennessee Boating Safety Education class, please call 615-837-6013.

MARINAS & COMMERCIAL FACILITIES

1. Comment (a) - The Shoreline Management Plan should acknowledge the value of public marina developments to promote and provide boating access for the public while limiting the proliferation of individual docks.

Comment (b) - The Resource manager should review preliminary proposals for new public marina developments and provide feedback on conceptual design of the marina

basin and slip layout to avoid and minimize conflicts with existing uses.

Comment (c) - Requests for new public marina developments should be coordinated initially with the Resource Manager and after incorporating comments from the Resource Manager the proposal should be forwarded to the Nashville District, USACE, Real Estate and Regulatory Divisions for licensing and permitting on an individual basis.

Comment (d) - The approval of new public marina developments should give priority to areas of the lake which are not currently served by existing marinas as long as they are compatible with existing uses in the lake.

Comment (e) - The Shoreline Management Plan should be revised to allow for the development of public marinas in areas which are allocated as public recreation area and limited development areas.

Comment (f) - The shoreline management plan should encourage the use of "upland cut" marina basins, where feasible, by the adjacent landowner or developer to provide sheltered basins, minimize conflicts with recreational boaters and minimize obstructions of views on the lake.

Comment (g) - I did not hear anything positive/negative from the public about commercial docks? I especially would be interested in those comments if there were some.

Response - The subject of marinas is addressed in Paragraph 13.b of the current Shoreline Management Plan. Public marinas are allowed in areas designated as public recreation areas. We are considering the possibility of adding new marinas on Old Hickory Lake. If the Corps decides that additional marinas are needed, the public will be notified, and a competitive bid process will be established in which proposals will be accepted for operating marinas at various locations on the lake, including some areas that are not currently served by marinas.

We do not anticipate approving any "upland cut" marina basins on Old Hickory Lake. Our mission is to manage and protect the natural resources of the lake. We do not make

decisions based on what course of action will provide the best view for adjacent landowners.

2. Comment (a) - What is the Corps doing to ensure maintenance and safety of marinas (Cedar Creek)?

Comment (b) - Extending marinas to the detriment of use from land and boat traffic.

Response - The Corps inspects marinas annually. Marina operators are required to correct any deficiencies found during the inspection. Marinas are also required to follow all federal, state, and local regulations regarding building codes, electrical codes, fire safety requirements, etc. The Corps has to balance conflicting interests in making decisions about the expansion of marinas.

3. Comment (a) - Any plans for commercial i.e. restaurants?

Response- We will not approve any proposals for stand-alone commercial facilities on public land. We would consider proposals for commercial facilities that support recreation facilities, for example, a restaurant at a marina. Some of our existing marinas have approached us about the possibility of adding restaurants to their operation, but we have not yet received any proposals.

MOORING BOUYS

1. Comment (a) - Can mooring section be added back to the SMP?

Comment (b) - Are existing mooring buoys going to be grandfathered?

Response - Due to lack of requests for mooring buoys, it was removed from the Shoreline Management Plan. However, we will explore the possibility of once again permitting mooring buoys.

In an effort to implement the Shoreline Management plan fairly with regard to existing private use on public land, the Resource Manager will honor all prior commitments of the government, including permitted mooring buoys.

2. Comment (a) - Is it the Corps' responsibility to ensure boats tied to mooring buoys are registered.

Response - Tennessee law requires that all mechanically powered vessels (including documented vessels) and all sailboats which are principally used in Tennessee must be registered. Enforcement is the principle responsibility of the Tennessee Wildlife Resources Agency.

MISCELANEOUS

1. Comment (a) - Consideration for stairs to access lake.

Response - Stairs can be approved for safe access to an approved boat dock. Generally, metal or wooden steps will be approved when deemed necessary for safe access. The width of the stairs shall not exceed five feet and landings (rest areas) shall not exceed a five feet by five feet area. It is possible that future use of stairs on bluffs may be restricted.

2. Comment (a) - All fees should be the same (including those grandfathered) in order to have more dockable areas

Response - Shoreline use fees are dependent upon the activity being permitted or licensed, not upon whether a dock is new or grandfathered. The following is a fee schedule effective for 2007:

Land Use - Mowing (Five Year Permit)	\$10.00
Boat Dock (Five Year Permit)	\$30.00
Boat Dock & Land Use (Five Year Permit)	\$30.00
Water Withdrawal (Five Year License)	\$125.00
Electric Line or Other Utility	\$75.00
Administration Fee required for Licenses	\$250.00
OtherReal Estate Fee Schedule

3. Comment (a) - How long can you leave any vessel moored along a dock that is at maximum 700 square feet?

Response - According to Title 36, Chapter III, Part 327.15b, Abandonment and impoundment of personal property, "Personal property placed on Federal lands or waters adjacent to a private residence, facility and/or developments of any private nature for more than 24 hours without permission of the District Commander shall be presumed to have been abandoned and, unless proven

otherwise, such presumption will be sufficient to impound the property and/or issue a citation."

4. Comment (a) - Eliminate day use fee at boat ramps.

Response - Federal law provides for fees to be charged for use of specialized recreation sites, facilities, equipment, or services provided at Federal expense. In 1994, the Corps began implementing a system of day-use fees for use of beaches and boat ramps. Previously, fees had been charged only for specialized use day-use facilities such as group picnic shelters, campgrounds or special events. Nationwide Corps of Engineers policy requires fees be collected at day use areas.

5. Comment (a) - Would like to see information newsletter sent more often.

Response - We try to send out "Lakecast" newsletters twice a year. Due to limited staff and resources, we are unable to publish newsletters more frequently. We attempt to keep our website updated frequently and hold public information workshops once a year to ensure the public is kept up to date with current information about Old Hickory Lake and the Corps of Engineers.

6. Comment (a) - Would like hotline number available and posted at ramp for issues such as buoy repair, safety concerns such as log in main channel

Comment (b) - Provide contact or hot line number for lake management issues.

Response - The U.S. Army Corps of Engineers has implemented a property protection program know as "CORPS WATCH", which was developed to reduce vandalism, larceny, arson and environmental and cultural degradation of government property. This program utilizes a toll free hotline (1-866-413-7970) and provides cash rewards of \$100 to \$1,000 to individuals whose information leads to the arrest and prosecution of offenders. The call center is available 24 hours a day 7 days a week and callers can remain anonymous.

In addition, the Old Hickory Lake Resource Manager's Office welcomes phone calls from concerned citizens regarding lake management issues. This office can be reached at (615) 822-4846 or (615) 847-2395.

7. Comment (a) - Need more liberal policy in allowing adjacent property owners access to lake like neighbors.

Response - A more liberal policy towards allowing adjacent property owners access to the lake is contrary to goals and objectives on the Shoreline Management Plan which aims to limit private exclusive use of public property. If an adjacent owner lives in a area classified as "Limited Development" and wishes to obtain a permit to mow and maintain public property, they must adhere to rules and regulations set forth in the Shoreline Management Plan.

8. Comment (a) - Environmental improvement plan be made public and fees doubled to fund constructive environmental improvements.

Response - In all aspects of natural and cultural resources management, the Corps promotes awareness of environmental values and adheres to sound environmental stewardship, protection, compliance and restoration practices. Environmental Restoration and Conservation Program is a management strategy designed to improve fish and wildlife habitat on the project through partnership projects with volunteers, non-profit groups, and adjacent property owners. Our goal is to apply the best management practices that will enhance and restore habitat and in some instances limit public access to protect historical, natural, and cultural resources. Numerous tracts have been identified for restoration and conservation projects. Project site evaluations consider the integration of diverse natural resource components of the lake such as fish, wildlife, forests, wetlands, grasslands, soil, air and water with public access and use. Approximately four to six projects improvement projects are done each year using both staff and volunteer labor. Maps showing the location of project sites are maintained at the Resource Manager's office. Signs designating the locations as "Wildlife Management Area" are placed at the sites.

The fees for dock (\$30) and landuse (\$10) permits are set by Congress and have not changed since the Shoreline Management Plan was implemented. If the fees were to increase it would be at the national level. Currently, there are no plans to increase the permit fees. However, the license administrative fees have increased from \$160 to \$250. This fee is assessed when a Real Estate License for

an electric line, water line, or improved access is either issued or renewed.

9. Comment (a) - Large developments need to be required to submit dock plan requests for community review before the plat are approved so future land buyers have valid information.

Response - A community dock permit may be issued to an association of property owners of a condominium, cluster home development, or similar residential development with jointly owned property directly fronting a Limited Development Area allocated for private docks. To provide access to public lands, the applicant must provide a dedicated access from a public thoroughfare to the proposed site of the community dock. Public lands will not be made available for parking. The individual occupants must own residential units. This excludes apartments or rental units in which residents do not actually hold title to the property involved. Persons eligible to use the community dock will be determined by the legally incorporated property owners association. Since the number of residents will generally exceed the number of slips available, association by-laws must clearly state the criteria. The number of slips will never exceed the number of residential lots. Also, a property owners' association shall qualify for a community dock permit only after the residential development is substantially completed (twenty-five per cent of the units are owner occupied) and the association officers are bonafide residents. The purpose of this requirement is to ensure that the community dock is for the legitimate recreational use of actual residents and not a speculative venture by developers to enhance marketability.

10. Comment (a) - Should have had an agenda at the start of the meeting and how much time the meeting would take and what process you would follow.

Response - Based on this comment, we developed an agenda for our second public meeting held at Gallatin High School on Thursday, October 19, 2006.

12. Comment (a) - Why are retaining walls no longer permitted?

Response - Construction of retaining walls is prohibited. This method of erosion control is more expensive to install

and maintain than other erosion control methods, and it eliminates habitat for aquatic life. Experience has shown that many existing walls were not properly constructed and are subject to cracking and undercutting.

13. Comment (a) - What are the restrictions for wetlands?

Response - The US Army Corps of Engineers has been regulating activities in the nation's waters since 1890. Until the 1960's the primary purpose of the regulatory program was to protect navigation. Since then, as a result of laws and court decisions, the program has been broadened so that it now considers the full public interest for both the protection and utilization of water resources. Currently, regulatory authority for the Corps of Engineers is based primarily on Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Under these Acts, prior authorization is required for any construction activities or discharge of dredged and/or fill material into waters of the United States, including wetlands. If you have any specific questions about an area adjacent to Old Hickory Lake, feel free to contact this office. Should you have questions about a wetland area located off of Corps of Engineers property, please contact the Nashville District Regulatory Office at 615-369-7501.

14. Comment (a) - Public access is limited to lake if on foot.

Response - There are 30 Corps recreation areas on Old Hickory Lake, which comprise 895 acres. Bledsoe Creek State Park, located approximately seven miles east of Gallatin, Tennessee, encompasses 164 acres of land. The City of Hendersonville operates 240 acres for municipal recreational use. The City of Gallatin maintains a 30-acre soccer complex on Station Camp Creek as well as 158 acres at Lock 4, Gallatin and Cedar Grove recreation areas, and Smith County operates a park on 14 acres included in the old Lock 7 site. Wilson County operates and maintains Tyree, Riverview and Dickerson Chapel Launching Ramps and Trousdale County operates and maintains Goose Creek and Second Creek Launching Ramps. The eight commercial concessions around the lake occupy a total of 134 acres of land and water. There are also five quasi-public group camps, which occupy a total of 201 acres.

15. **Comment (a) - Without allowing safe and proper lakeshore dockage, the shoreline presents a very unsafe environment which will lead to human injury.**

Response - At Old Hickory Lake, recreational demands and developmental pressures increase each year, yet the total amount of public land and water area remains fixed. Sound management is necessary to provide optimum use of finite project resources.

16. **Comment (a) - What is the liability of adjacent landowners if someone gets hurt on public property?**

Response - Adjacent landowners are only responsible for their own inaction or actions with respect to what occurs on their property. Under state law, they do not have landowner liability for activities that occur on Federal lands, because they do not own those lands or have responsibility for them. One possible exception might be if they own a hazardous tree that falls upon Federal property, injuring someone visiting there. In that case, they may be liable. This would be true regardless of whether the Federal government or a private party owned that land.

17. **Comment (a) - Can adjacent landowners withdraw unlimited water for private purposes?**

Response - We do permit water withdrawals from private purposes. However, due to recent drought conditions in the Cumberland River watershed, we may be forced to limit the amount of new water withdrawal permits issue.

SMP MEETINGS

1. **Comment (a) - Very informative meeting.**

Comment (b) - Good job on meeting. Very professional.

Comment (c) - Good session - shows that Corps is trying - difficult task to balance growth with ecology. Thanks.

Comment (d) - Workshop on 12-19-06 was very well organized and administered.

Comment (e) - Break-out groups good way to voice concerns in structured manner.

Comment (f) - Ranger Mark conducted a great meeting and handles himself well! Represents the Corps with pride and professionalism.

Comment (g) - Very informative! Thanks for allowing our input.

Comment (h) - I thought the process was very fair. I also think you guys do a tremendous job and totally get a "bad rap" for enforcing regulations that benefit us all.

Response - Thank you. It's always good to get compliments.

Comment (a) Need to divide groups by 1) Who has a dock
2) Who is asking for a dock - This gets better questions.

Response - We used what is known as a "nominal group technique" for the workshops. This is a structured workshop/meeting process, which identifies and ranks the major concerns or issues affecting the group. Each group was lead by a facilitator. The process allows the facilitator to: control the meeting and discussion; to keep the group working toward the task at hand; to ensure that everyone participates by presenting his/her ideas; and to set priorities and reach consensus on the goals, problems, solutions, or program suggestions proposed by the group.

We received 193 comments as a result of the workshops and 30-day comment period. Several changes to the plan were made as a result.