

EXHIBIT 6

**Floating Cabin Application
and Permit /License for
Shoreline Use**



US Army Corps
of Engineers

South Atlantic Division

Application and Permit/License for Shoreline Use

For use of this form, see SADVR 1130-2-14

Print or type the information requested below. Submit two signed copies with two complete sets of plans and specifications to the **Operations Manager**. (READ PRIVACY ACT STATEMENT ATTACHED PRIOR TO COMPLETING THIS FORM.)

Applicant Name _____ Date _____

Address _____ Telephone (____) _____

City _____ State _____ Zip Code _____

FOR GOVERNMENT USE ONLY

FLOATING CABIN - PERMIT NUMBER: FC _____

LOCATION: _____

SEE EXHIBIT "A & B" FOR FEES AND DESCRIPTIONS, AND EXHIBIT "C" FOR SUPPLEMENTAL RESTRICTIONS.

The following person (not living at the above address) will be available on short-notice call and will be responsible for providing any needed surveillance of the structure in my absence:

Name _____ Telephone (____) _____

Address _____

City _____ State _____ Zip Code _____

I understand the conditions of this Permit/License and hereby accept this instrument together with all conditions thereof, this _____ day of _____, 19____.

x _____

Grantee

This block to be completed by Operations Manager.

Special Permit/License Conditions:

The permittee shall comply with the rules of the Georgia Department of Natural Resources with respect to marine toilet treatment devices and shall not discharge garbage or other pollutants in the waters of the lake.

NOTE: Condition #11 does not apply to Floating Cabins.

Permit/License #: _____ Date Issued: _____ Expiration Date: _____

The Secretary of the Army hereby grants to the applicant named above a Permit/License for the period specified above, to construct, use and maintain the items specified and described above and more particularly identified on Exhibit "A" attached hereto and made a part hereof.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the Secretary of the Army this _____ day of _____, 19____.

x _____

Operations Manager

Project Name ALLATOONA LAKE

CESAD Form 3185-R
Oct 87 (Previous Editions are Obsolete)

PERMIT/LICENSE CONDITIONS

1. This Permit/License is granted solely to the applicant for the purpose described on the attached permit.
2. The permittee agrees to and does hereby release and agree to save and hold the Government harmless from any and all causes of action, suits at law or equity, or claims or demands or from any liability of any nature whatsoever for or on account of any damages to persons or property, including a permitted/licensed facility growing out of the ownership, construction, operation or maintenance by the permittee of the permitted/licensed facilities and/or activities.
3. Ownership, construction, operation, use and maintenance of a permitted/licensed facility are subject to the Government's navigation servitude.
4. No attempt shall be made by the permittee to forbid the full and free use by the public of all public waters and/or lands at or adjacent to the permitted/licensed facility or to unreasonably interfere with any authorized project purposes, including navigation in connection with the ownership, construction, operation, or maintenance of a permitted/licensed facility or activity.
5. The permittee agrees that if subsequent operations by the Government require an alteration in the location of a permitted/licensed facility and/or activity or if in the opinion of the district commander a permitted/licensed facility and/or activity shall cause unreasonable obstruction to navigation or that the public interest so requires, the permittee shall be required, upon written notice from the district commander to remove, alter, or relocate the permitted/licensed facility, without expense to the Government.
6. The Government shall in no case be liable for any damage or injury to a permitted/licensed facility which may be caused by or result from subsequent operations undertaken by the Government for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage. This includes any damage that may occur to private property if a facility is removed for noncompliance with the conditions of the permit/license.
7. Ownership, construction, operation, use, and maintenance of a permitted/licensed facility and/or activity are subject to all applicable Federal, state, and local laws and regulations. Failure to abide by these applicable laws and regulations may be cause for revocation of the permit/license.
8. This permit/license does not convey any property rights either in real estate or material; and does not authorize any injury to private property or invasion of private rights or any infringement of Federal, state, or local laws or regulations; nor does it obviate the necessity of obtaining state or local assent required by law for the construction, operation, use or maintenance of a permitted/licensed facility and/or activity.
9. The permittee agrees to construct the facility within one (1) year of the permit/license issue date. The permit/license shall become null and void if construction is not completed within that period. Further, the permittee agrees to operate and maintain any permitted/licensed facility and/or activity in a manner so as to provide safety, minimize adverse impact on fish and wildlife habitat, natural, environmental, or cultural resources values and in a manner so as to minimize degradation of water quality.
10. The permittee shall remove a permitted/licensed facility within 30 days, at his/her expense, and to restore the waterway and lands to a condition accepted by the project manager upon termination or revocation of this permit/license or if the permittee ceases to use, operate, or maintain a permitted/licensed facility and/or activity. If the permittee fails to comply to the satisfaction of the project manager, the district commander may remove the facility by contract or otherwise and the permittee agrees to pay all costs incurred thereof.
11. The use of a permitted boat dock facility shall be limited to the mooring of the permittee's vessel or watercraft and the storage, in enclosed locker facilities, of his/her gear essential to the operation of such vessel or watercraft.
12. Neither a permitted/licensed facility nor any houseboat, cabin cruiser, or other vessel moored thereto shall be used as a place of habitation or as a full or part-time residence or in any manner which gives the appearance of converting the public property on which the facility is located to private use.
13. Facilities granted under this permit/license will not be leased, rented, sub-let, provided to others by any means of engaging in commercial activity(s) by the permittee or his/her agent for monetary gain. This does not preclude the permittee from selling total ownership to the facility.
14. Floats and flotation material for all docks and boat mooring buoys shall be fabricated of materials manufactured for marine use. The float and its material shall be 100% warranted for a minimum of 8 years against sinking, becoming waterlogged, cracking, peeling, fragmenting, or losing beads. All floats shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. All floats and the flotation material used in them shall be fire resistant. Any float which is within 40 feet of a line carrying fuel shall be 100% impervious to water and fuel. The use of new or recycled plastic or metal drums or non-compartmentalized air chambers for encasement of floats is prohibited. Existing floats are authorized until it or its flotation material is no longer serviceable, at which time it shall be replaced with a float that meets the conditions above. For any floats installed after the effective date of this specification, repair or replacement shall be required when it or its flotation material no longer performs its designated function or it fails to meet the specifications for which it was originally warranted.
15. Permitted/licensed facilities and/or activities are subject to periodic inspection by authorized Corps representatives. The project manager will notify the permittee of any deficiencies and together establish a schedule for their correction. No deviation or changes from approved plans will be allowed without prior written approval of the project manager.

16. Floating facilities shall be securely attached to the shore in accordance with the approved plans by means of moorings which do not obstruct general public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited.

17. The permit/license display tag shall be posted on the permitted/licensed facility and/or on the land areas covered by the permit/license so that it can be visually checked with ease in accordance with the instructions provided by the project manager.

18. No vegetation other than that prescribed in the permit/license will be damaged, destroyed, or removed. No vegetation of any kind will be planted, other than that specifically prescribed in the permit/license.

19. No change in land form such as grading, excavation, or filling is authorized by this permit/license.

20. This permit/license is non-transferrable. Upon sale or other transfer of the permitted/licensed facility or the death of the permittee and his/her legal spouse, this permit is null and void.

21. By 30 days written notice, mailed to the permittee by certified letter, the district commander may revoke this permit/license whenever the public interest necessitates such revocation or when the permittee fails to comply with any permit/license condition or term. The revocation notice shall specify the reasons for such action. If the permittee requests a hearing in writing to the district commander through the project manager within the 30 day period, the district commander shall grant such hearing at the earliest opportunity. In no event shall the hearing date be more than 60 days from the date of the hearing request. Following the hearing, a written decision will be rendered and a copy mailed to the permittee by certified mail.

22. Notwithstanding the condition cited in condition 21 above, if in the opinion of the district commander, emergency circumstances dictate otherwise, the district commander may summarily revoke the permit/license.

23. When vegetation modification on these lands is accomplished by chemical means, the program will be in accordance with appropriate Federal, state, and local laws, rules, and regulations.

24. The project manager or his/her authorized representative shall be allowed to cross the permittee's property, as necessary, to inspect facilities and/or activities under permit/license.

25. When vegetation modification is allowed, the permittee will delineate the Government property in a clear, but unobtrusive manner approved by the project manager and in accordance with the project Shoreline Management Plan.

26. If ownership of a permitted/licensed facility is sold or transferred, the permittee or new owner will notify the project manager of the action prior to finalization. The new owner must apply for a Shoreline Use Permit/License within 14 days or remove the facility and restore the use area within 30 days from the date of ownership transfer.

27. If permitted/licensed facilities are removed for storage or extensive maintenance, the project manager may require all portions of the facility be removed from public property.

PRIVACY ACT NOTICE

AUTHORITY

Section 4, 1944, Flood Control Act as amended, PL 87-874.

PURPOSES

These applications are used in considering the issuance of permits for floating facilities, landscaping, and other authorized activities by private landowners adjacent to Corps lakes. This information is collected and maintained at project offices and is used as a basis for issuing permits. Needed for description of facility to assure conditions of permit requirement are met. To provide auditing information for programs with financial involvement. To provide information for contact of responsible party available on short notice in case of emergency.

ROUTINE USES

This information may be disclosed to Department of Justice or other Federal, State, or local Law Enforcement Agencies charged with the responsibility of investigating or prosecuting violations or potential violations of law or enforcing or implementing statutes, rules, regulations or orders issued pursuant thereto; or to a Congressional Office in response to an inquiry made at the applicant's request. The applicant's name and address are considered public information and may be disclosed in response to a Freedom of Information Act Request.

EFFECTS OF NONDISCLOSURE

Disclosure of information is voluntary. Failure to provide information will preclude issuance of a permit.

EXHIBIT "A" & "B"
RATE SCHEDULE AND DESCRIPTION
SPECIAL CONDITIONS

	<u>5 YEAR</u> <u>FEE</u>	<u>FEE/PRORATED</u> <u>FEE</u>
1. Dock or Boathouse- (New Permit/Owner).....	\$400.00	\$ _____
(Re-issue).....	\$175.00	\$ _____
(Modify).....	\$90.00	\$ _____
2. Underbrushing, Grassmowing.....	\$10.00	\$ _____
Shoreline Protection- (See plans for Retaining Wall)		
3. Utility Right-of-Way: O.H. or U.G. electric.....	\$35.00	\$ _____
Waterline.....	\$35.00	\$ _____
4. Improved Steps and/or Walkway.....	\$50.00	\$ _____
_____ ft. x _____ ft. (Type)_____		
5. Handrails only.....	\$28.00	\$ _____
6. *Improved Road and/or Turnaround*.....	\$56.00	\$ _____
_____ ft. x _____ ft. (Type)_____		
7. *Boat Launching Ramp*.....	\$67.00	\$ _____
8. *Marineway*.....	\$67.00	\$ _____
9. *Picnic Shelter or Patio*.....	\$50.00	\$ _____
_____ ft. x _____ ft. (Type)_____		
10. *Pumphouse*.....	\$20.00	\$ _____
11. Other..... FLOATING CABIN	_____	\$ _____
TOTAL FEES DUE		\$ _____

NOTE: *denotes re-issue of "grandfathered" items only. No New Installations Permitted.

Special Conditions:
 (See Exhibit D-1, Page 8, Paragraph 8 for complete wording.)
 (1) Condition #11 of the Shoreline Use Permit/License does not apply to Floating Cabins.
 (2) The permittee shall comply with the rules of the Georgia Department of Natural Resources with respect to marine toilet treatment devices and shall not discharge garbage or other pollutants in the waters of the lake.

EXHIBIT "C"
SUPPLEMENTAL RESTRICTIONS

1. **ELECTRICAL SERVICE and EQUIPMENT** leading to or on private mooring facilities or on Government property must not pose a safety hazard nor conflict with other recreational use. **All new electrical lines will be installed underground.** Electrical installations must be weatherproof and equipped with ground fault circuit interrupter. The facility must be equipped with quick disconnect fittings mounted above the 863' MSL flood pool elevation.

ALL ELECTRICAL INSTALLATIONS must be installed and certified by a state licensed electrician to meet the National Electric Code requirements for wet locations, marinas, and boatyards, and all state and local codes and regulations. **A copy of the Electrical Certification form must be provided to the Operations Manager before a Shoreline Use Permit will be issued or renewed.** The Operations Manager will require immediate removal or disconnection of any electrical service or equipment that is not certified, does not meet code, or is not safely maintained.

EXISTING OVERHEAD LINES will be allowed, as long as they meet all applicable electrical codes, regulations, and above guidelines, to include compatibility and safety related to fluctuating water levels. Existing overhead electric lines will be maintained a minimum of 10 feet above the ground surface. When extensive repairs to overhead electric service are required, it will be necessary to convert them to underground installation.

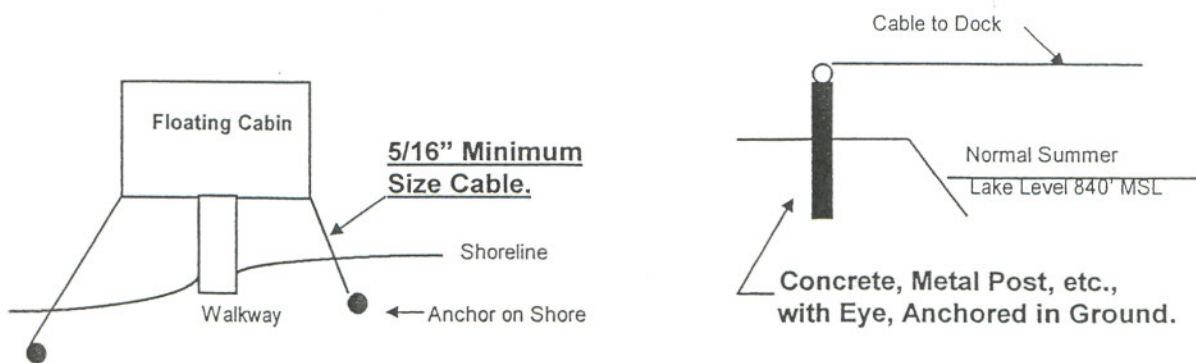
Docks with electrical service may not be moved from shore as the lake recedes, unless electrical service is disconnected.

2. **All Land-based facilities** must be maintained in a safe condition, or termination of this permit and removal of the improvements will be necessary.

3. **Removal of underbrush** is restricted to vegetation with a diameter of 2 inches or less at breast height. Pruning of limbs is permitted as high as one can reach from the ground. Cutting of trees larger than 2" DBH must be approved on a **Specified Acts Permit** by the Operations Manager. NOTE: Native ornamental trees and shrubs such as Redbud, Dogwood, Mountain Laurel, Wild Azalea, American Holly, and Oakleaf Hydrangea will not be cut without special permission from the Operations Manager.

4. **Changes to any facility or structure** must be approved in advance, in writing, by the Operations Manager.

5. NOTICE: Effective December 1, 1986, no floating facility will be renewed if the facility is attached to trees. **All floating facilities must be anchored to the shoreline by means other than trees.** See example below. **The use of Rope to anchor the dock to the shoreline is Prohibited.**



ALLATOONA LAKE
CRITERIA FOR EXISTING FLOATING CABINS
March 1, 1991. (Supercedes all previous editions.)

A. THE FOLLOWING IS REQUIRED FOR SUBMITTING PLANS FOR FLOATING CABINS :

1. Drawings submitted in duplicate, and on 8-1/2" x 11" paper.
2. Two views of the structure:
 - a. A plan view (view from the top).
 - b. An elevation view (view from the side).
3. Complete dimensions showing length, and width (including floor plans, boatslip, walkway, overhangs, etc.)
4. Method of securing the structure, i.e. cable, guidepost, etc. (NOTE: cables shall not be secured to trees or natural formations on shore.)
5. Notations as to building and flotation materials, type, size, location, etc.
 - a. Building Materials: Decking for walkway and decking shall be: (a) marine plywood (5/8" or thicker), (b) pressure treated lumber at least 1-1/2" thick, or (c) pressure treated 5/4 board. All decking shall be supported by 2" x 6" minimum framing on 16" centers.
 - b. Flotation: Flotation shall be of materials which:
 - (1) will not become waterlogged,
 - (2) is resistant to damage by animals,
 - (3) and will not sink or contaminate the water if punctured. No metal covered or injected drum flotation is allowed.

Foam bead flotation must be encased or encapsulated in an approved protective coating which meets the above criteria. Such coating must be warranted by the manufacturer for a period of at least eight years against cracking, peeling, sloughing, and deterioration from ultraviolet rays, while maintaining its resiliency against ice and bumps by watercraft. A copy of the manufacturer's warranty must be provided to this office by the prospective permittee.

Non-beaded, extruded polystyrene is approved for use without a protective coating.

NOTE: Existing flotation will be authorized until it has severely deteriorated and is no longer serviceable or capable of supporting the structure, at which time it shall be replaced with approved flotation. (When 50% of the existing flotation under a structure is deemed no longer serviceable, all flotation must be replaced with approved flotation.)

B. RESTRICTIONS:

1. Floating Structure . . . Size restricted to dimensions (including cantilevered roofs) existing on or before October 1, 1990.
2. Walkway . . . Minimum width: 4'.
. . . Maximum width: 6'.
. . . Maximum length: 40'. Exceptions will be authorized only on a case-by-case basis.
3. Carpet or other type covering on exterior deck surfaces or walkway is not permitted.
4. Slides, diving boards, or similar type recreational equipment are not permitted on floating structures.

C. GENERAL:

1. All electrical wiring and fixtures on the structure and connecting shore power must meet the provisions of the National Electrical Code, and be inspected and certified by a licensed electrician. Re-certification is required each time the permit is renewed or re-issued.
2. All accessible roofs and upper decks must be surrounded by a continuous, sturdy handrail.
3. See attached "General Rules For Floating Cabins" dated March 1, 1991 for additional information.