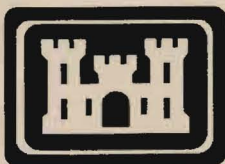




**WEST POINT LAKE
SHORELINE MANAGEMENT
PLAN**



**US Army Corps
of Engineers**

Mobile District



US Army Corps
Of Engineers
Mobile District

News Release

For Release:
Immediate

Contact:

Michael A. Hurley
Park Ranger
West Point Project
706-645-2937
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NEWS RELEASE: Guidelines for Boat Docks at West Point Lake to Change

Today the U.S. Army Corps of Engineers, in coordination with the West Point Lake Coalition and the West Point Lake Water Safety Council, announced minor changes to guidelines for installing privately owned boat docks on West Point Project. According to Eddie Sosebee, Operations Manager for the Corps at the West Point Project, "these changes are designed to improve the safety of docking facilities, assist public safety personnel in locating specific sites, and, in certain situations, provide for safer water depth under boat docks and boat shelters."

The following changes are effective immediately:

- The total length of the walkway and attached dock or shelter may not exceed **100 feet** from the reservoir's summer pool elevation of 635' NGVD. This change was requested by the West Point Lake Coalition, according to Dick Timmerberg, Coalition Chairman. "We believe this will definitely improve access to the lake for dock owners, and we appreciate the Corps' cooperation in approving our request." Timmerberg said. Under the old guidelines, the walkway and attached dock or shelter could not exceed 80 feet in length. Existing criteria must be met for authorization of this extension. No dock may exceed 1/3 the width of any cove, neighboring docks must have at least 50 feet spacing between them, and the dock must not pose a hazard to boat traffic.
- Recently developed materials that may now be used in the construction of boat docks and boat shelters include recycled wood, plastic decking and composite decking. The U.S. Army Corps of Engineers must first approve plans for dock construction, prior to the installation of new docks or the modification of existing structures.

- All new and existing boat docks and boat shelters must have 4" amber-colored reflectors placed on the outside edges. Under the old policy, no specific color was identified. The amber color was endorsed by the West Point Lake Water Safety Council to help ensure that docks are visible to boaters at night and are not confused with boat running lights.
- To assist law enforcement and rescue personnel, E-911 street addresses must be posted on all boat docks and boat shelters. The house number and street name are required and must be posted with a minimum 3", reflective lettering, in such a way that they are easily visible from the water. This change was also endorsed by the West Point Lake Water Safety Council and is intended to improve response times for public safety personnel traveling by boat to the scene of an incident or accident. "The West Point Lake Water Safety Council's primary mission is to prevent accidents on the lake; however, in the event of an emergency, a quick and accurate response from rescue personnel could make the difference in life or death," said Council Chairman Mac McGowan.

Dock owners should plan to have street addresses posted and amber reflectors installed on their docks at the time shoreline use permits are reissued, reassigned, when a new permit is issued, or at any prior time on a voluntary basis. Requests for authorization to extend dock walkways should be referred to the West Point Project Management Office at 706-645-2937. Revised dock plans, site inspections, and on-site meetings are required for approval of these requests.


CESAD-CO-R (CESAM-OP-R/14 May 93) (1130-2-305a) 1st End Keshlear/rmr/4834
SUBJECT: West Point Lake Shoreline Management Plan Revision

Commander, South Atlantic Division, U.S. Army Corps of Engineers, Room 313
77 Forsyth Street, SW, Atlanta, Georgia 30335-6801
24 June 1993

FOR THE COMMANDER, MOBILE DISTRICT, ATTN: CESAM-OP-R

1. The West Point Shoreline Management Plan revision is approved subject to the following addition. On page seven, paragraph 16, add "and ER 405-1-12, Chapter 8", to the end of the existing sentence.
2. The subject plan has been coordinated with the Planning and Real Estate elements. Questions may be directed to Brad Keshlear, 404-331-4834.

FOR THE COMMANDER:


MICHAEL P. FALLON, P.E.
Acting Director
Construction-Operations Directorate



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

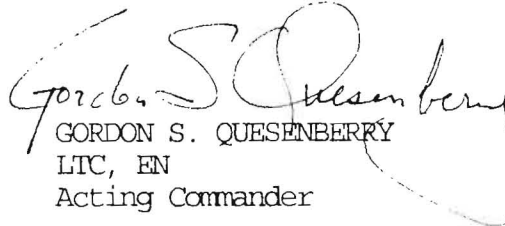
REPLY TO
ATTENTION OF:

CESAM-OP-R

MEMORANDUM FOR Commander, South Atlantic Division, ATTN: CESAD-CO-R
Atlanta, GA 30335-6801

SUBJECT: West Point Lake Shoreline Management Plan Revision

1. As directed by ER 1130-2-406, the West Point Lake Shoreline Management Plan is submitted for approval.
2. The revision of the existing project Lakeshore Management Plan has been a joint effort involving extensive input from the public, various public workshop committees, the West Point Lake Advisory Committee, West Point Lake staff, the Mobile District and the South Atlantic Division.
3. Target date for implementation and public distribution is June 1993.
4. Approval of this Shoreline Management Plan is recommended.


GORDON S. QUESENBERY
LTC, EN
Acting Commander

WEST POINT LAKE
SHORELINE MANAGEMENT PLAN

APPENDIX B OF THE WEST POINT LAKE
OPERATIONAL MANAGEMENT PLAN

JUNE 1993

SHORELINE MANAGEMENT PLAN

WEST POINT LAKE

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SHORELINE MANAGEMENT PLAN
WEST POINT LAKE

1. Purpose. To provide guidance and information specific to the effective management of the West Point Lake shoreline including adjacent public land and water. The plan describes the types of private uses and activities that may be permitted along the shoreline. It also addresses shoreline allocations, rules, regulations, and other information relative to the West Point Lake Shoreline Management Program.

2. Objectives. U.S. Army Corps of Engineers policy is to provide for management of public land and water associated with West Point Lake in a manner that promotes the safe and healthful public use of the shoreline, while assuring conservation of natural resources for present and future generations. Public access to and from the West Point Lake shoreline will be preserved. The intent of all management actions will be to achieve a compatible balance between permitted minor private uses and long term resource protection for general public use and enjoyment.

3. Authority. This plan was prepared in accordance with the requirements of Engineering Regulation (ER) 1130-2-406, dated October 31, 1990, titled "Shoreline Management at Civil Works Projects".

4. References.

- A. Section 4, 1944 Flood Control Act, as amended (16 USC 460d).
- B. National Environmental Policy Act of 1969, as amended.
- C. Section 404 of the Clean Water Act of 1977 (33 U.S.C. 1344).
- D. Section 10 of the Rivers and Harbors Act of 1899, as amended.
- E. Fish and Wildlife Coordination Act of March 10, 1934, as amended.
- D. Endangered Species Act of 1973.
- F. Public Law 86-717, 74 Statute 817, Forest Conservation.
- G. Public Law 99-662, Section 1134(d), Water Resources Development Act of 1986.
- H. Public Law 89-665, 80 Statute 915, National Historic Preservation Act of 1966, as amended.
- I. Public Law 85-624, Fish and Wildlife Coordination Act, 72 Statute 563.
- J. Public Law 96-366, Fish and Wildlife Conservation Act of 1980.
- K. Executive Order 11752, "Prevention, Control, and Abatement of Environmental Pollution at Federal Facilities."
- L. Title 36, Chapter III, Part 327 Code of Federal Regulations, "Rules and Regulations Governing Public Use of Water Resources Development Projects administered by the Chief of Engineers.
- M. Title 33, Chapter II, Part 323 Code of Federal Regulations, "Permits for Discharges of Dredged or Fill Material into Waters of the United States."
- N. ER 405-1-12, chapter 8, Real Estate Handbook.
- O. ER 1130-2-400, Management of Natural Resources and Outdoor Recreation at Civil Works Water Resource Projects.
- P. ER-1130-2-406, Shoreline Management at Civil Works Projects.
- Q. SADvR 1130-2-12, Construction of Boat Launching Ramps by Non-Government Groups.

- R. SADvR 1130-2-14, Use of Lakeshore Land and Water Areas for Private Purposes.
- S. SAMOM 1130-2-2, Permitting Procedures for Private Floating Docks.
- T. Master Plan, West Point Lake, Design Memo. 37, April 1981.
- U. Lakeshore Management Plan, West Point Lake, September 1979.
- V. West Point Lake Operational Management Plan, December 1987.
- W. Public Law 97-140, Section 6, Water Resources Development Act of 1981

5. History. Construction of West Point Lake was authorized by the Flood Control Act of 1962, for the purposes of flood control, power generation, stream flow regulation for downstream navigation, fish and wildlife management, and general recreation.

a. Acquisition of project land was initiated according to the joint policies of the Departments of Interior and of the Army relative to reservoir project lands. The Joint Interior-Army Acquisition Policy governed all land acquisitions for reservoir projects initiated between 1962 and 1971. West Point Lake land was acquired in fee, to 644' National Geodetic Vertical Datum (NGVD) or 300 feet horizontally above contour elevation 638', whichever resulted in the acquisition of more land. Rather than following contour lines, most of the government boundary consists of straight lines between points. This often results in distances greater or less than 300 feet between boundary line and shoreline. In order to assure that the water and land areas of reservoirs constructed by the Corps were available to the public, the land that provides access along the shore of the reservoir was supplemented at selected locations for concentrated public use. West Point Lake and other projects having either recreation, or fish and wildlife, or both, as project purposes, acquired additional lands as set out in the authorization and specified in design memoranda. This policy establishes that the United States own in fee a continuous area of land around the reservoir above the water level to insure ready public access along the shore. Under the Joint Policy the Corps acquired adequate land, including areas required for public access, to accomplish all of the authorized purposes of the project and thereby obtain maximum public benefit.

b. Construction was initiated in December 1965, and the impoundment reached the full operating level of 635' NGVD on May 25, 1975. Development of the initial Lakeshore Management Plan included public meetings in July 1974 and September 1975, with final approval in September 1979. Though minor revisions and standard operating procedures have been written in the years since adoption, a major update was necessary to achieve the objectives outlined previously and carry the project into the next century. In October 1992, the Lakeshore Management Plan was revised, to include a new title, and presented to the public as a draft revision of the Shoreline Management Plan.

6. Public Involvement.

a. Public meetings regarding the development of the initial Lakeshore Management Plan were held at West Point Lake on July 2, 1974 and at Lanett, Alabama, on September 25, 1975.

b. As a result of revision of Engineering Regulation 1130-2-406, Shoreline Management at Civil Works Projects, dated October 31, 1990,

and the length of time the original lakeshore management plan had been in effect without an update, a need for a major review was identified. The U.S. Army Corps of Engineers, in partnership with the West Point Lake Advisory Committee, formulated a process for public involvement to accomplish this task. On January, 7, 1992, following extensive prior notification, a public workshop was held in LaGrange, Georgia. The update process was explained at this meeting, and participants were invited to serve on any of the six committees formed to address these major areas of concern: Boat Docks; Land Use Practices; Water Quality; Forestry, Wildlife and Fisheries Management; Shoreline Allocations; and Recreational Development (disbanded later). Over the next few months these committees met to review the existing plan and make recommendations for the revision.

The committees presented their proposals to the public for comment at a second public workshop held April 21, 1992, in West Point, Georgia. In addition, written comments were received until May 5, 1992. The West Point Lake Resource Management Staff studied the committee recommendations and public comments, conducted field reviews of allocations, and incorporated recommendations in the plan to the maximum extent possible after considering their effects on the resources. This process yielded the first draft, which was offered to the public and various government agencies for written comment in October 1992.

7. Conservation of Your Natural Resources.

a. The U.S. Army Corps of Engineers and the West Point Lake Resource Management Staff are dedicated to the wise management and use of the natural resources associated with West Point Lake. Natural resources management is integrated with other project purposes within a multiple use concept. The public is encouraged to take pride in the public land and water of West Point Lake by working with the Corps of Engineers to assure conservation of resources for present and future generations.

Prior to World War II, this portion of the Chattahoochee River drainage basin in the southern Piedmont had a relatively large rural population that engaged in extensive row-crop farming. Much of this farming took place on unterraced, marginal lands. This caused extensive sheet and gully erosion resulting in an annual sediment load as great as 200 tons per square mile. Portions of the area were also in pasture land, woodlots, and other uses associated with agriculture.

The resources of West Point Lake are very diverse because of these past land uses. This diversity is beneficial for the authorized uses and management philosophies. Multiple use management philosophies are in practice at this project to enhance the visitor's recreation experience, to provide sustained forest resources, and to promote wildlife diversity. Management of the flora and fauna associated with West Point Lake is accomplished in accordance with the West Point Lake Operational Management Plan.

b. The ecology of West Point Lake is directly influenced by activities

of adjacent property owners on public land and water; therefore, limitations must be placed on activities authorized on public property. These limitations allow the conditional use of public property, while protecting its integrity for a variety of public interests.

c. Adjacent property owners are encouraged to participate in cooperative wildlife management programs with the West Point Lake Resource Management Staff. Resource Management personnel are available to assist in applying for authorization to accomplish wildlife enhancement projects, and provide information on bird nesting boxes, birdfeeders, fish structures, and other beneficial practices.

d. Contact the Resource Management Office for information regarding hunting (including required permits) on public land of West Point Lake.

8. Endangered Species.

a. The Endangered Species Act of 1973, as amended, requires all Federal agencies to conserve endangered and threatened species and utilize their authorities to accomplish the purposes of this Act. The purposes of this Act are to provide a means whereby the ecosystems upon which endangered and threatened species depend may be conserved, and to provide a program for the conservation of such endangered and threatened species. Section 7 of the Act states that all Federal agencies shall, in consultation with and with the assistance of the Secretary of the Interior, ensure that any actions authorized, funded, or carried out by them do not jeopardize the continued existence of any endangered or threatened species, or result in the destruction or adverse modification of their habitat.

b. The West Point Lake natural resources management staff diligently works to uphold the objectives of the Endangered Species Act. The staff also strives to protect species on public land which are classified as endangered or threatened in the states of Alabama and Georgia and are therefore protected by state law. Recovery plans will be implemented upon discovery of protected species after consultation with state conservation experts and/or U.S. Fish and Wildlife Service biologists.

c. Permits will not be issued that conflict with the preservation of endangered or threatened species. Any existing permits which are in violation of the Endangered Species Act will be modified or rescinded. For a list of endangered or threatened species known to range or exist in the proximity of West Point Lake as of the date of plan implementation, see Exhibit I.

9. Water Quality.

a. The quality of water has an important bearing on the recreation and the fish and wildlife potential of the project. Water quality management at West Point Lake is a challenging task because of the varied human activities in and around the lake and occurring in its drainage basin. The goal of this management responsibility is to promote water quality adequate for safe and healthful public use and to conserve beneficial aquatic life.

b. The Corps of Engineers will strive to comply with all federal and state water quality laws and standards as they relate to specific Corps

operations. Corps personnel are also authorized to enforce provisions of Title 36, Code of Federal Regulations, part 327.9 which prohibits the discharge of pollutants into project water or onto project land.

c. The States of Alabama and Georgia have the authority and responsibility to enforce state water quality laws. The states are also authorized by the Environmental Protection Agency (EPA) to enforce the Federal Clean Water Act.

10. Archaeological, Cultural and Historic Resources.

a. The National Historic Preservation Act of 1966, the Archaeological and Historic Preservation Act of 1974 and the Archaeological Resources Protection Act of 1979 were enacted by Congress to protect archaeological, cultural and historic sites and to provide for proper recovery of site data if warranted.

b. Determination that a previously issued permit infringes upon or impacts a site will result in its rescission. Permits are not issued that involve general or specific use or alteration of a site unless culturally cleared by appropriate agencies. The use of metal detectors is prohibited except at designated areas. Contact the Resource Management Office for specific concerns regarding procedures/locations for metal detector usage.

11. Shoreline Allocations. The West Point Lake water surface encompasses 25,900 acres and 525 miles of shoreline, at 635' NGVD. To meet the objectives of the Shoreline Management Plan and Project Master Plan, it is essential to control the number, type and location of facilities and activities on public property. These include, but are not limited to, floating facilities, utility lines, walkways and vegetative modifications. The West Point Lake shoreline has been allocated into four categories: Limited Development Areas, Public Recreation Areas, Protected Shoreline Areas, and Prohibited Access Areas. Site maps depicting allocations and shoreline markings are included as Exhibits II and III. Allocations are defined in paragraphs 12 through 15.

12. Limited Development Areas. Approximately 131 miles or 25.0 percent of the shoreline is currently allocated for limited development, shown in green on the shoreline allocation maps. Private floating facilities and various land-based activities may be authorized in these areas, provided a permit has been obtained and all permit conditions met. There are a number of resource management considerations that determine whether a permit is granted for a site within the Limited Development Area. Among the factors considered with each application are water depth, navigation concerns, environmental features, terrain characteristics, density of development, existing facilities and activities and location and layout of the applicant's adjacent property.

13. Public Recreation Areas. Approximately 242 miles, or 46.1 percent of the shoreline is currently allocated for public recreation and marked in red on the shoreline allocation maps. These areas are designated for current or future federal, state and other public recreation uses. Commercial concessionaires or other public entities may be permitted to use or develop

Public Recreation Areas per approved site development plans. Private use facilities or activities, including landform or vegetation modification, are not permitted in areas with this designation. Public Recreation Areas are not considered as legitimate access for a shoreline use permit/license.

14. Protected Shoreline Areas. Approximately 151 miles, or 28.8 percent of shoreline is currently allocated as protected, delineated in yellow on the shoreline allocation maps. Protected Shoreline Areas are designated to reduce conflicts between public and private use and to protect or restore aesthetics, fish and wildlife habitat, cultural and/or other environmental values. Protected areas are also designated in accordance with the provisions of the National Environmental Policy Act of 1969 (PL 91-190). Physical characteristics such as water depth, rapid dewatering, exposure to high winds and currents and channel width are also considered in classifying Protected areas. Private boat docks are prohibited unless they are authorized by PL 99-662 as outlined in paragraph 17a. Underbrushing a 5-foot wide meandering pathway for access purposes may be permitted provided its existence is compatible with all criteria of the protected classification.

15. Prohibited Access Areas. Approximately 1 mile of shoreline is designated as Prohibited Access. Shown in orange on the shoreline allocation maps, these areas were classified for public safety and project operations purposes. Public boating and pedestrian access are prohibited or restricted for safety and/or security reasons in these areas. On West Point Lake, Prohibited Access areas are on or near the dam and operations areas.

16. Permits/Licenses

a. Shoreline use permits/licenses are required for private floating facilities of any kind. Boats do not require shoreline use permits; however, they may not be beached, stowed, or otherwise left unattended on the West Point Lake shoreline or adjacent public land. Vessels may be moored at a permittee's floating facility. As discussed in this plan, private floating facilities include individual boat docks, boat shelters, and community docks. Shoreline Use permits/licenses may also be issued for vegetative modification activities (underbrushing), erosion control, utility lines, improved walkways and other specified land-based activities. Permits/licenses may be issued for a term of up to five years and contain general terms and conditions that are uniformly applicable to all permits/licenses issued (Exhibit IV). Individual site characteristics, circumstances and/or conditions may require the statement of special terms and conditions on the permit/license. Permit processing and procedures are addressed in Exhibit V. See Section 30 regarding permitting information for activities below 635' NGVD.

b. The issuance of a shoreline use permit/license does not convey any personal property rights or private exclusive use rights to public property. Owners of permitted facilities may take lawful precautions to protect their personal property from theft, vandalism and in the case of floating facilities, trespass; however, they may in no way preclude the public's right to legitimate use of, or lawful access to, public land and water. This includes the public's right to access and use water adjacent to private floating facilities.

c. All applications for permits/licenses on West Point Lake must be

approved by the resource manager prior to beginning any work on public land or water. The resource manager will review any requests for activities not specifically addressed in this plan. Should an applicant desire to discuss or appeal a decision, the individual should use the process shown in Exhibit VI.

d. Shoreline use permits/licenses are non-transferable and become null and void upon sale or transfer of the permittee's adjacent property, sale or transfer of the permitted facility, or death of the permittee and legal spouse. Prior to change of ownership of a permitted facility, the original permittee must notify the Resource Management Office. The new owner must apply for a Shoreline use permit/license within 14 days, or remove the facility and restore the area to a natural condition within 30 days of property transfer. Prospective adjacent property owners are strongly encouraged to contact the Resource Management Office for information on permitting procedures (Exhibit V).

e. Applicants will be billed for specific permitted activities and/or facilities prior to issuance of a permit/license. A fee schedule, published separately, is available from the Resource Management Office upon request and is also provided with all permit/license applications. Fees are subject to change.

f. All shoreline use permits/licenses are issued, regulated and controlled in accordance with the provisions of Title 36, Code of Federal Regulations, Chapter III, Part 327 and ER 405-1-12, Chapter 8.

17. Grandfathered Structures and Activities. The term "grandfathered" is used to designate a structure or activity that was authorized by a previous policy and prior permit, but which current policy no longer authorizes. "Grandfathered" structures that are authorized to be relocated from the originally documented site lose their protected status and must meet all current requirements for issuance of a permit/license. This includes materials, flotation, dimensions, the requirement for open sided boat shelters and all other standards now in effect. There are three categories of "grandfathered" structures/activities:

a. Grandfathered By Public Law. Twice in the past, Congress enacted legislation "protecting" facilities meeting certain criteria defined in these public laws. On December 29, 1981, Public Law 97-140 was adopted. Section 6 of this law is applicable to Federal water resource reservoirs or lake projects administered by the Secretary of the Army acting through the Chief of Engineers. It provided that no lawfully installed dock or appurtenant structure could be required to be removed prior to December 31, 1989, if such property was maintained in usable condition and did not occasion a threat to life or property. Therefore, "grandfathered facilities" that were to be removed upon the sale of property or death of the original owner were allowed to remain until December 31, 1989, as long as they were maintained in a safe and usable condition.

Congress amended this law by passing Public Law 99-662, prohibiting the forced removal, on or after December 31, 1989, of previously authorized docks and appurtenant structures which were in place on November 17, 1986, providing the following conditions are met: