

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

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

(3) The holder of the permit/license is in substantial compliance with the terms of the existing permit/license.

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

Floating facilities and appurtenant structures (improved walkways, utility lines, etc.) "grandfathered" by Public Law 99-662 that do not meet current requirements will be permitted to remain at their originally authorized location, provided they meet conditions 1, 2 and 3, listed in the preceding paragraph. The only exceptions to this policy are that replacement flotation must meet all current requirements, handrails must be installed as required, and electrical systems must meet current National Electrical Code standards.

Facilities lose their "grandfathered" status when condition(s) set forth by Public Law 99-662 are not met. When this occurs, the facilities and appurtenant structures must be removed and the area restored to its natural condition.

b. Grandfathered By Other Than Public Law. This section pertains to structures authorized and installed after November 17, 1986. Docks and appurtenant structures authorized by permits/licenses and installed after the date referenced, but which are not permitted by current policy, are "grandfathered" to the original permittee. The only exceptions to this policy are that replacement flotation must meet all current requirements, handrails must be installed as required, and electrical systems must meet current National Electrical Code standards.

Structures "grandfathered" in other than limited development allocations after November 17, 1986, must be removed and the area restored to its natural condition when major repairs are necessary, upon the death of the permittee and his or her spouse, or the change of ownership of permittee's private property or permitted structures.

c. Grandfathered Underbrushing and Mowing. Permits/licenses issued for underbrushing and/or mowing activities that are not currently authorized are "grandfathered" to the original permittee, or his or her spouse, as long as they own the adjacent private property. At reissue to current permittees, underbrushing dimensions will be limited to those maintained as previously authorized. Rangers will revise site sheets and the special conditions section of the permit to reflect authorized dimensions at the time of reissue. Upon the death of the permittee and his or her spouse, or a change of ownership of the adjacent private property, current policy will govern what activity may be authorized (paragraphs 12-15, "Shoreline Allocations" and paragraph 21 d., "Underbrushing").

18. Access Requirements. Applicants for a shoreline use permit/license must have direct access to public property and must provide a recorded deed, lease, or easement agreement. Lease or easement agreements must be for a five year minimum term. A plat of the adjacent private property, with dimensions of ownership, lease, or easement clearly delineated, must be furnished for inclusion in the permit/license application. Public roads do not constitute legitimate access. However, in situations where a public road and public land have a common boundary, adjacent landowners along the road/boundary may be considered as having access.

19. Private Individual Floating Facilities. Decisions regarding the issuance of a permit/license for a private individual floating facility are based on many requirements and physical characteristics which are further explained in the following paragraphs. Private floating facilities will not be used for human habitation. Only one floating facility permit per family unit may be issued. Ownership of more than one lot adjacent to public land does not constitute an exception to this policy.

a. Location. Access area, for the purpose of dock location, is defined as the area where the adjacent private property and public property share a common boundary. Floating facilities will front this common boundary in a location determined by the area ranger. Usually, deviations of not more than 50 feet to the left or right of the common boundary may be considered if water depth, spacing, or other site conditions are a problem. The location of proposed facilities/activities must not cause a safety hazard to the applicant/user or general public. There will be no cross-over of permitted facilities/activities.

b. Spacing. The location of any new floating facility must provide at least a 50 foot spacing between it and other permitted facilities at lake elevation 635' NGVD. This spacing is to provide a buffer area for boat maneuverability, water level fluctuations and public safety. This distance is measured from the nearest point of one facility to the nearest points of those immediately adjacent. The center one-third of the cove or channel must be left open for navigation at locations selected for floating facilities. At no time may the length of any dock, including any moored vessel, extend into this center one-third of the cove or channel at 635' NGVD. All new facilities will be placed in such a way as to have the least impact on navigation. In locations where two or more docks could be placed in the same general area but could not meet the spacing requirement, e.g., small coves or narrow lots, permits will be issued on a first come, first served basis.

c. Water Depth. The proposed location for a floating facility must have a minimum 4' water depth under the lakeside of the facility at 635' NGVD to be eligible for a permit. This requirement is intended to allow for daily and seasonal water fluctuations. It is the responsibility of the permittee to take necessary action to protect facilities during low and high water periods. (Minimum winter drawdown is 10').

d. Standards for Docks. All floating facilities must be designed to assure safety and structural integrity. All new and reassigned floating

facilities will be marked with 4" reflectors placed on the outside edges. Plans showing dimensions and detailing materials to be used must be submitted with applications. Standard planning forms are shown in Exhibit VII. The appropriate planning form must be completed accurately and returned to the Resource Management Office at the time of application.

It is the responsibility of the permittee to assure that docks are engineered and maintained to remain in a safe condition when exposed to environmental conditions (wind, wave action, rain, temperature extremes, etc.) and fluctuating lake levels. Approval of plans by resource management personnel does not imply they meet engineering standards, but only that dimensions and materials listed meet current West Point Lake standards.

(1) Floating Facility Structural Support Systems. Suitable materials used for joists, rafters, studding, and decking are wood and/or metal. All wood used in construction must be either pressure treated, cedar, redwood, cypress, or marine grade. Creosote, arsenic, or penta treated wood is not acceptable. Minimum size for main structure boards is 2" X 6". Decking must be 5/4" X 6" boards, 2" X 6" boards, or 3/4" marine plywood with a slip-resistant surface (nonskid paint or adhesive strips and/or carpeting is not allowed because it promotes deterioration). Metal decking (unless bolt construction tread aluminum) is discouraged due to repair difficulties and slip hazards. Metal should primarily be used for support functions, not decking. Metal decking, if used, must have a non-slip tread.

Wood construction is considered unsafe when nails, bolts, or screws are protruding; when materials become partially decayed or slick from use; when wood supports and decking are loose or missing; and/or when wooden materials protrude beyond the defined limits of the approved facility dimensions or pose a hazard. Metal construction is considered unsafe when it becomes pointed, sharp or jagged from wear, rusted, or wind damaged; when bolts, screws, etc., become loose causing a tripping hazard or allowing the structure to become partially unstable; when metal joints lose structural strength due to broken welds or rust; when metals protrude beyond the defined limits of the floating facility approved dimensions; and/or when portions of metal decking are missing or causing a tripping hazard.

Under these and other unsafe conditions the permittee must repair, remove, or replace the facility in accordance with current standards.

(2) Flotation. All new or replacement flotation shall be of materials which will not become waterlogged (not over 1-1/2 percent by volume ASTM), is resistant to damage by animals, and will not sink or contaminate the water if punctured. No metal covered or injected drum flotation will be allowed. Foam bead flotation that is not subject to deterioration through loss of beads, meets the above criteria, and has a minimum density of 1.2 lb./cu. ft. is authorized. Foam bead flotation with a density of 1.0 lb./cu. ft., but does not otherwise meet the above criteria is authorized provided it is encased in an approved protective coating which enables it to meet the specifications above. An approved coating is defined as warranted by the manufacturer for a period of at least eight years against cracking, peeling, sloughing and deterioration from ultra violet rays, while retaining its

resiliency against ice and bumps by watercraft. 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.

Prior to acquiring flotation, permittees and applicants should obtain specifications from the manufacturer to determine whether or not a product conforms to these criteria. Once obtained, this information should be submitted to the area ranger for review.

A minimum 40% of each flotation billet shall be above the waterline at all times (four inches for every ten inches of thickness). If less than 40% of a billet is above the waterline, it is no longer considered serviceable and must be replaced with an approved type of flotation. It shall be securely attached using galvanized or stainless steel straps, treated dowels, galvanized or stainless steel fasteners, or other acceptable methods.

(3) Size Limitations for Individual Floating Facilities. Floating facility dimensions are calculated exclusive of gangwalks. Less than maximum allowable sizes may be mandated by site conditions such as width of the cove or channel and density of development.

The maximum permissible size for an individual boat dock is 260 square feet, excluding the slip area. The minimum dimensions, not including gangwalks or slip areas, are 8' X 8'.

The maximum allowable boat shelter size is 720 sq. ft. Boat Shelter dimensions are figured on an overall basis, including boat slip and roof overhang. All new boat shelters must be open-sided; chain link mesh or similar material is permitted for security purposes.

(4) Hardware. All hardware including nails, screws, bolts, nuts, washers, etc., will be either galvanized or stainless steel.

(5) Anchoring. Floating facilities must be physically attached to the shore with a walkway and equipped with an anchoring system. One approved anchoring method consists of cables placed at an angle from the dock to the shore and attached to metal or treated posts set in the ground. Cables must be galvanized steel, stainless steel, or aluminum. Cables may not be approved as a means for anchoring if they present a safety hazard to the public in regard to use of the shoreline.

Another method uses anchoring posts set into the lake bottom a minimum of 3 feet, with the post tops a minimum of 7 feet above elevation 635' NGVD (telescoping posts set a minimum of 3 feet deep into the lake bottom and extendable to a minimum of 7 feet above 635' NGVD are acceptable).

For additional stability, concrete anchor pads may be installed at the land end of the walkway. Standards for anchor pads are shown in Exhibit VIII. Fixed sections and concrete anchor pads alone are not considered sufficient anchoring for floating facilities.

(6) Storage Compartments. Only one storage compartment per individual floating facility is permitted for the storage of items essential

to watercraft operation. Storage compartments shall not exceed a maximum floor area of 24 square feet in size and must be fastened securely to the dock. The maximum height will be 48 inches on an uncovered dock and to the roof line on a covered dock. Total volume shall not exceed 96 cubic feet.

e. Standards for Floating Facility Walkways. Floating facility walkways consist of a section or sections of gangway connecting the boat dock or shelter to the shoreline. These walkways may be either floating or a combination of fixed and floating. In most areas around West Point Lake, floating walkways are the most desirable, functional and economical alternative available to permittees.

(1) Walkway Lengths and Widths. The total length of the walkway and attached dock or shelter may not exceed 80 feet from 635' NGVD. This measurement includes the length or width of a moored vessel if it extends beyond the dimensions of the facility. The walkway and dock/shelter (including moored vessels as outlined above) may not extend over one third the width of a cove or channel at 635' NGVD. Individual sections of floating or fixed walkways may require construction at less than maximum allowable lengths to assure that all components of the floating facility are within permissible dimensions and guidelines. Walkway width may range from a minimum of 4 feet to a maximum of 6 feet, but all new walkways will be a consistent width for all sections leading to the floating dock or shelter. Walkways and/or appurtenant steps may not extend landward more than 3 feet from 635' NGVD. Walkways/steps exceeding this limit are considered improved walkways and must meet criteria addressed in paragraph 25.

(2) Fixed Sections. If shoreline conditions warrant its use, applicants may request authorization to install a fixed section of walkway to be constructed and maintained in accordance with Alabama Regional Permit ALG07 or Georgia Regional Permit RP0045 (Exhibit IX). In most cases, floating walkways will be a less expensive and more practical alternative to fixed sections. Fixed sections must be a minimum of two feet above 635' NGVD and may be no longer than the minimum required for safe access to the floating portion of facility. A hinged walkway section, no less than 15 feet in length, but long enough to provide safe access as the lake fluctuates, must be installed between the fixed section and the dock or shelter.

(3) Materials. All wood construction must be either pressure treated, cedar, redwood, cypress, or marine grade. Creosote, arsenic, or penta treated wood is not acceptable. Minimum size for main structure boards is 2" X 6". Decking must be 5/4" X 6" boards, 2" X 6" boards, or 3/4" marine plywood with a slip-resistant surface (nonskid paint or adhesive strips and/or carpeting is not allowed because it promotes deterioration). Deck boards must be perpendicular to the general direction of the walkway. Metal decking is discouraged due to repair difficulties and slip hazards. Metal should primarily be used for support functions, not decking. Metal decking, if used, must be a rustproof material and have a non-slip tread. Wood and metal walkways are considered "unsafe" when they are as described in paragraph 19(d) (1).

(4) Handrail Requirements. If any portion of a walkway exceeds four feet in height above land or water at any time, rigid type safety handrails are required on each side for the entire length of that walkway component, as

shown in Exhibit X. Handrails must be 36 to 48 inches in height, with an intermediate guardrail approximately 18 to 24 inches below the top rail. Existing as well as new walkways must meet these requirements.

f. Standards for Electrical Systems. Requirements for installation and use of electric service on floating facilities at West Point Lake are shown on the electrical certification forms included as Exhibit XI. All existing electrical installations must be certified by a licensed electrician or electrical engineer before the permit can be reissued. Plans for new electrical installations must also be certified before a permit can be issued.

20. Community Docks. Requests for community docks will require submittal of proposed dimensions, location, construction materials and a list of individuals or families served by the facility. Each request will be considered on its own merits, and will only be approved when the proposed facility significantly decreases the need for individual docks in a given area. Note: Community docks do not decrease the need for individual docks when considering interior lots or lots that fail to meet all other criteria for floating facility eligibility. This is because interior lots and lots not meeting minimum eligibility criteria are ineligible for floating facilities. Permits for community docks will be issued to the homeowners' association. Community docks may not exceed 10 slips. A community dock agreement, as shown in Exhibit XII, must be signed and submitted with proposed plans.

21. Vegetative Modification. A wooded shoreline is essential to the water quality and beauty of West Point Lake. In many areas tree seedlings have not been allowed to become established and serve as replacement trees as the older trees begin to die out. To provide for these replacement trees the Corps of Engineers may plant seedlings in grassed or open areas. The seedlings will be marked and removal of the seedlings by adjoining property owners is prohibited. Adjoining property owners will be notified in advance of the plantings.

In addition, adjoining property owners are encouraged to help maintain the natural shoreline appearance. Modification of public land through additional plantings must be in accordance with an approved, detailed planting design. Planting designs must use only native plant materials. The planting design must stress the enhancement of the natural environment and be conducive to wildlife propagation and/or erosion prevention.

a. Underbrushing. Underbrushing is defined as the selective cutting and continued control of woodland understory vegetation (grasses, vines, briars, etc.) and the thinning of tree seedlings, as approved by the resource manager. Leaf litter is essential to erosion control and soil moisture conservation; therefore, removal of mulch is not permitted. The purpose of underbrushing permits/licenses is to provide safe access to the shoreline, with minimal alteration to existing vegetation. Underbrushing permits/licenses are not issued for improving or creating vistas, speculative purposes, etc.

b. Violation of Vegetative Modification Permits. Replanting and restoration may be required to correct any unauthorized vegetative modification. A permit may also be revoked or the underbrushing area reduced in size. Violation of underbrushing permit conditions may also be addressed under Title 36, Code of Federal Regulations.

c. Issuance, Reissuance and Reassignment of Vegetative Modification Permits. Existing vegetative modification permits, including those for grassed or open areas, may be reissued to the permittee until a change of ownership of the permittee's adjoining private property. Upon change of ownership, a policy of reclaiming these areas by replanting, and/or natural regeneration, may be implemented. The goal of this policy is to reforest these areas and bring them into compliance with current underbrushing guidelines. All new and/or reassigned vegetative modification permits are subject to the conditions in the following paragraphs d through f.

d. Limited Minor Underbrushing Permit. The area must be allocated Limited Development and possess terrain that can be underbrushed without erosion or other environmental problems resulting. New and reassigned underbrushing permits are subject to the following requirements:

(1) The area to be underbrushed will be limited to a strip averaging 100 feet in width, extending from the public property boundary to the shoreline (635' NGVD). However, if the adjacent landowner's common boundary with public lands is less than 100', the width of allowable underbrushing will be reduced accordingly. The width of underbrushing at the common boundary, when added to the width of underbrushing at the shoreline, may not exceed a sum of 200 linear feet. The applicant's property must be at least as wide as the maximum width of planned underbrushing. Site conditions and other resource considerations may warrant the reduction of allowable underbrushing dimensions. Examples of dimension configurations are shown in Exhibit XIII.

(2) The space between trees shall not exceed 8 feet on center. A variety of young native seedlings and saplings will be selected, established by planting and/or allowed to become established through natural regeneration in order to maintain this spacing. These trees will be protected from the effects of underbrushing.

(3) Under no circumstances will any tree over 5 inches in diameter at ground level be cut without prior approval and marking by the area ranger. Dead trees must also be inspected and marked by a ranger before removal.

(4) Native ornamental trees and shrubs such as dogwood, holly, redbud, wild azalea, maple, magnolia, etc., will not be cut regardless of size/spacing unless specifically authorized and marked by the area ranger. Refer to Exhibit XIV for a list of native trees and shrubs.

(5) Limbs may be pruned up to one third the height of trees, or ten (10) feet from ground level, whichever is less.

(6) The area to be underbrushed will be identified (marked) on site by a ranger. The remaining public property will be designated as natural area to provide buffers between private uses and to conserve wildlife habitat.

(7) Underbrushing is to be accomplished by using tools (power or manual) which allow the operator to selectively remove only the size and type vegetation allowed under terms of these conditions. No equipment larger than a small riding mower may be used. Mowers may not be used on slopes where the

removal of grass or leaf mulch will contribute to soil erosion. A permittee may be directed by a ranger to discontinue the use of equipment or techniques that result in indiscriminate underbrushing or environmental degradation.

(8) The use of herbicides, insecticides or any kind of biological control chemicals is not allowed on public land unless unusual circumstances exist. Requests may be submitted for a Specified Acts Permit (See Paragraph 22) from the Resource Management Office.

(9) Only vegetative material taken from public lands as authorized by permit may be piled and burned on public lands. Burning is restricted to the exposed lake bottom (below 635' NGVD) during periods of low water and must be in strict accordance with all applicable state and local laws. Permittees must contact the county office of the state forestry commission for permission to burn. Fires will be attended at all times and fully extinguished when not actively attended. Future state and federal regulations may result in further restrictions or elimination of burning privileges. NOTE: Permittees are encouraged to choose environmentally friendly alternatives to burning underbrushed materials, such as small wildlife brush piles, composting, or erosion control. Prior coordination and written approval from a ranger is required.

(10) Permittee may plant up to four native trees or plants (wild azaleas, dogwoods, magnolias, redbuds, etc.) without prior approval, provided they are located in a random fashion and do not displace or destroy vegetation that would otherwise remain when conducting valid underbrushing. Non-native plants will be subject to removal from public lands. Larger scale native planting projects require that the permittee submit a planting plan to the Resource Management Office detailing species name, quantity and location. This plan must be approved prior to any planting. A list of native trees and shrubs that may be planted is included as Exhibit XIV.

e. Underbrushing for Fire Protection. Underbrushing of public land for fire protection may be authorized where dwellings or other structures on private property are located near the property line. In order to provide a reasonable degree of fire safety, public land up to 30' from the nearest structure may be underbrushed.

f. Other Activities. Establishment of grass lawns is not allowed, nor are activities which create the appearance of private ownership and control of public lands. These activities include the placement, storage, or abandonment of unauthorized personal property on public lands.

22. Specified Acts Permits. Specified Acts Permits issued at no charge through the Resource Management Office are required for activities not otherwise authorized by permits/licenses. These activities are a one time occurrence and do not require continued maintenance. Specified Acts Permits will not be approved if issuance would result in the likelihood of environmental damage. Permittees are responsible for any damage to public land resulting from activities authorized by Specified Acts Permits. A Specified Acts Permit form is shown as Exhibit XV. The following is a list of the more common activities requiring a Specified Acts Permit:

(1) Cutting or removing hazardous trees or limbs from public property which endanger life and/or property.

(2) Using herbicides to control kudzu or noxious plants, such as poison ivy. The use and application of herbicides must comply with the manufacturer's instructions and current state and federal regulations.

(3) The use of tractors, tractor mowing implements and other heavy equipment is prohibited unless temporarily authorized by a Specified Acts Permit.

23. Special Considerations.

a. The construction of patios and other such items is not allowed on public land. A small number of such structures existed when public property was acquired. Permits for these existing items may be reissued or reassigned in accordance with special conditions of the permit/license. When the facility needs major repair or poses a threat to life or property, it must be removed.

b. The use of motor vehicles, including but not limited to cars, vans, trucks, motorcycles, golf carts and all terrain vehicles on public land and along the exposed shoreline is prohibited except as follows:

(1) Golf carts and similar small vehicles may be used by persons with disabilities provided an improved walkway has been permitted and established to lessen the impact to public lands. A physician's statement documenting the disability must be provided to the resource manager and will be placed on file.

(2) A Specified Acts Permit may be issued when vehicles/equipment are needed for construction or repair of permitted items (see paragraph 22).

24. Utility Installation.

a. Utility Lines. To minimize adverse effects on public property, all permitted utilities must be underground and their locations will be designated in the permit/license. Permit/license fees will be assessed for each utility line authorized. Water lines and electric lines may be placed in the same trench when installed in accordance with requirements listed on the electrical certification forms included as Exhibit XI. Utility routes are limited to 3 feet in width and will not be issued if erosion or other environmental degradation is a probable result of installation.

b. Water lines.

(1) Permits/licenses for adjacent landowners to withdraw water from the lake for potable (drinking) purposes are not issued.

(2) Water may be withdrawn for non-potable uses by using a gasoline or electric pump. An electric line permit is required for electric pumps on public property. Pump engines may not exceed 4 horsepower. Pumps may not be mounted on floating facilities, but will be placed on the shoreline above 642' NGVD. Non-potable intakes must be attached to the dock with no lines installed underground below the normal pool elevation, 635' NGVD. Water withdrawal apparatuses will not interfere or conflict with public use (such as presenting a boating hazard).

(3) Potable water lines from private property may be permitted, but only one above ground spigot may be authorized on public property. An additional spigot may be installed on the dock. Water lines to floating facilities will be securely attached to the outside edge or underside of the walkway and dock.

(4) All water lines must be installed underground. If installed in conjunction with an electric line, the water line may be installed in the same trench. However, the water line must be installed a minimum of 12" above the electric line, with a warning tape placed immediately below its entire length to indicate a buried electrical line lies beneath it.

(5) No rest room, shower, sink, fish cleaning station, or irrigation fixtures will be permitted on public property or authorized floating facilities.

c. Other. Upon approval by the resource manager, other underground utilities such as telephone lines, intercom lines, etc. may be installed. Telephone jacks and intercoms are permitted on docks; however, the use of cordless phones and intercoms is encouraged (no permit is required for cordless communication). No permits will be issued for private fuel lines. One flag pole per permittee may be authorized by permit/license to fly only the flag of the United States of America.

25. Improved Walkways and Pedestrian Access.

a. The unimproved pathway incorporated with an underbrushing permit does not convey authorization to install any structure, modify existing topography, and/or delineate the pathway. Improved walkways/steps require submittal and approval of plans prior to construction. They will be of simple design and may be constructed of crushed stone, wood chips, stepping stones, treated lumber, or similar materials. Continuous walkways such as asphalt or poured concrete are not permitted. Walkways/steps will follow a meandering route and be on a grade closely conforming to the topography to prevent erosion and avoid unnecessary removal of vegetation. Improved walkways will not exceed 4 feet in width (See Exhibit XVI). Exceptions will be considered to accommodate the physically disabled.

b. Footbridges may be authorized for access over drainage or other low lying areas on public land. All footbridges more than 4 feet above ground level must have a handrail. Footbridges may not be constructed below the 635' NGVD elevation and all wood must be pressure treated and approved for ground contact. The maximum allowable width of a footbridge is 4 feet.

26. Facility Maintenance, Permit Reissue and Reassignment.

a. All permitted facilities must be operated, used and maintained by the permittee in a safe condition at all times. Unsafe conditions will be corrected immediately. If deficiencies are not corrected, the owner may be required to remove the facility at his/her expense. Permits for private floating facilities will usually be reissued or reassigned when the current

permit expires or when ownership of the facility is transferred, provided the owner has completed the requirements of reissuance (Exhibit V). An administrative charge will be collected prior to issuance of the permit.

b. For both reissuance and reassignment, an inspection will be performed by Corps personnel to determine whether facilities conform to standards of the Shoreline Management Plan.

27. Erosion Control. When the erosion problems originate on private property and extend onto public land, corrective action on private property should be taken to redirect the water runoff and prevent further erosion of public land. When a pathway is creating an erosion problem, an application must be submitted for an improved walkway and/or to relocate the path to lessen impact. Permission may be granted to undertake activities designed to prevent erosion of public land. These activities include use of native plants, installation of water bars, placing soil and/or rock, or combinations of these measures. Erosion control work must be authorized by permit/license.

28. Shoreline Tie-ups. Temporary shoreline tie-up is defined as the intermittent moorage of private watercraft along the shoreline during a period of recreational activity. This practice will be allowed so long as a conflict of use does not develop. Watercraft owners are encouraged to contact local marinas for extended moorage. Permanent mooring devices will not be permitted on the shoreline. Watercraft may not be moored within Prohibited Access Areas.

29. Boundary Line and Encroachments.

a. The boundary line at West Point Lake has been established and marked by the Corps of Engineers in accordance with standard survey techniques using licensed surveyors (Exhibit XVII). Where the distances between corners or witness trees are such that monuments or pins are not visible, survey markers may have been or may be placed by the Corps of Engineers to witness the boundary line. Wherever possible, witness posts with signs will be placed near corner pins. The alteration or removal of monuments, witness posts or pins, is a violation of Title 36 Code of Federal Regulations, Chapter III, Part 327.

b. Every three to five years the Corps of Engineers repaints witness trees and removes undergrowth along the entire boundary line. However, due to the number of monuments and corner pins and the possibility they may have been disturbed, the Corps of Engineers cannot guarantee the accuracy of these pins and monuments. If a private need arises for the exact location of the common public/private property line, the adjacent property owner (at personal expense) should use a licensed surveyor. The Resource Management Office can provide data describing the public property line; however, this data is not from a recorded document. A thorough check of recorded deeds, plats and other courthouse records is strongly recommended before surveying, purchasing or beginning construction on lands adjacent to public property on West Point Lake. Any discrepancies identified by the survey should be brought to the attention of the resource manager.

c. Adjoining property owners are encouraged to build permanent structures a sufficient distance from the boundary line to allow for maintenance of the structure and reduce the possibility of an encroachment by subsequent additions of decks, porches, steps, patios, etc. Adjoining property owners should check deed restrictions and county ordinances for any building setback requirements. If no setback requirements exist, adjoining landowners should exercise prudence to ensure that private structures and appurtenances do not extend onto public property.

d. Other than pedestrian access or general public recreation activities, any activity on public property not authorized by a permit/license (or in some cases a Specified Acts Permit) will be considered an encroachment or degradation of public property, and is a violation of the Rules and Regulations contained in Title 36, Code of Federal Regulations, Chapter III, Part 327. Examples of such violations include, but are not limited to: motorized vehicle operation, removal or cutting of vegetation, beach construction, failure to remove picnic table and other lawn furniture when not in use, and the placement or storage of trailers, vessels, satellite dishes, debris, fill material, dog pens, patios, roof overhangs or other structures.

e. Adjoining property owners shall not allow their pets to impede or restrict full and free use of public land and water by others.

30. Activities Below 635' NGVD Pool (Normal Pool Elevation).

a. Nationwide Permit Activities. Code of Federal Regulations, Title 33, Part 330.5, authorizes minor bank stabilization, placement of dock anchoring posts and certain other activities below 635' NGVD. Specific written approval is necessary to engage in these activities on West Point Lake. Following are some considerations for the most common activities:

(1) Wetland areas may occur above and below 635' NGVD. These areas provide ideal fish and wildlife habitat. Therefore, activities in these areas may significantly impact the natural ecosystem and may be prohibited.

(2) Removal of silt material will be considered on a case by case basis. The removal of silt deposits may be authorized by a Specified Acts Permit issued through the Resource Management Office (Nationwide Permit, 33 CFR 334.5a). Only one such permit of this type will be issued for a particular location. Dredging will not be permitted.

(3) Minor shoreline protection work by private individuals may be authorized. Limited shoreline protection activities of 500' or less in length, with 1 cubic yard or less of backfill per linear foot, may be approved by the Resource Manager (Nationwide Permit, 33 CFR ,334.5a). These locally approved measures include placement of riprap and construction of retaining walls. Riprap is the preferred type of erosion control, since it also provides additional aquatic habitat. Concrete block walls are not allowed. Plans for retaining walls showing dimensions and construction materials must be submitted and approved prior to construction. In some cases, one set of steps for safe access over riprap and retaining walls may be allowed. Minimum requirements for retaining walls are shown in Exhibit XVIII.

b. Section 10 and Section 404 Permits. Activities which exceed the limits of the nationwide permit may be authorized under conditions specified in permits issued pursuant to Section 10, Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344). Shoreline Use Permits/Licenses are not issued for these activities. A Department of the Army permit is required by the above referenced statutes. Contact the Resource Management Office for application procedures.

31. Liability.

a. The Corps of Engineers assumes no liability or responsibility for the safety of individuals using any facility authorized by permit/license or engaged in any activity authorized by permit/license on public property. The permittee assumes full liability and responsibility for the safe conduct of the activity and must certify the safety of the structure and any associated electrical wiring. Inspections of facilities by the Corps of Engineers will be made in the interest of public safety. By making such inspections, the Corps of Engineers assumes no liability or responsibility for any accident associated with the facility.

b. The Corps of Engineers assumes no liability for damages which may result from enforcement of this plan or changes in applicable laws or regulations.

32. Access for Official Purposes

a. Application for, or possession of, a valid permit/license is considered approval for Government personnel on official business to cross a permittee's private property for access to public land/water. Purposes for access include inspection of permit/license facilities. Denial of access to Government personnel on official business will preclude issuance or reissuance of a permit/license.

33. CONCLUSION.

a. It is the intent of the West Point Lake Shoreline Management Plan to provide quality recreational opportunities for the public while protecting the environment. This is accomplished by balancing public recreational needs with West Point Lake's physical limitations, its operations for all authorized project purposes and environmental qualities. In developing the Plan, both present and future recreational needs of the area were considered. As presented, the West Point Lake Shoreline Management Plan is and will continue to be, a flexible working document.

b. The Resource Management Staff at West Point Lake will continually monitor the needs of lake users and recommend revisions to minimize conflicts between various interests. In advance of recommending any major revision to this Plan, additional public workshops will be held as required. The Plan will be reviewed at least once every five years and revised as necessary.

c. The West Point Lake Resource Management Staff is available to address any questions concerning the Shoreline Management Plan and its policies. The West Point Lake Resource Management Office is located off U. S. Highway 29 approximately 4 miles north of West Point, Georgia, and contains displays depicting on a larger scale the shoreline allocation areas as described in the Plan. Further information concerning the Shoreline Management program is also available from the West Point Lake Resource Management Office (706/645-2937).

Enclosures
Exhibits I through XVIII

EXHIBIT I

Protected Plants of West Point Lake
(Occurring in Randolph and Chambers Counties, Alabama)

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>County</u>	<u>Protected by</u>
Little amphianthus	<u>Amphianthus pusillus</u>	T	C R	AL US
Arenaria	<u>Arenaria alabamensis</u>	E	R	AL
Black-spored quillwort	<u>Isoetes melanospora</u>	E	R	AL US
False pimpernel	<u>Lindernia monticola</u>	S	C R	AL
Grass-of-parnassus	<u>Parnassia asarifolia</u>	E	R	AL
Georgia oak	<u>Quercus georgiana</u>	T	C	AL
Menge's flame-flower	<u>Talinum mengesii</u>	T	C R	AL
Viguiera	<u>Viguiera porteri</u>	T	R	AL

Protected Plants of West Point Lake
(Occurring in Troup and Heard Counties, Georgia)

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>County</u>	<u>Protected by</u>
Little amphianthus	<u>Amphianthus pusillus</u>	T	H	GA US
Yellow lady's-slipper	<u>Cypripedium calceolus</u> var. <u>pubescens</u>	U	H T	GA
Black-spored quillwort	<u>Isoetes melanospora</u>	E	H	GA US
Bay star vine	<u>Schisandra glabra</u>	T	H T	GA
Piedmont barren strawberry	<u>Waldsteinia lobata</u>	T	H	GA

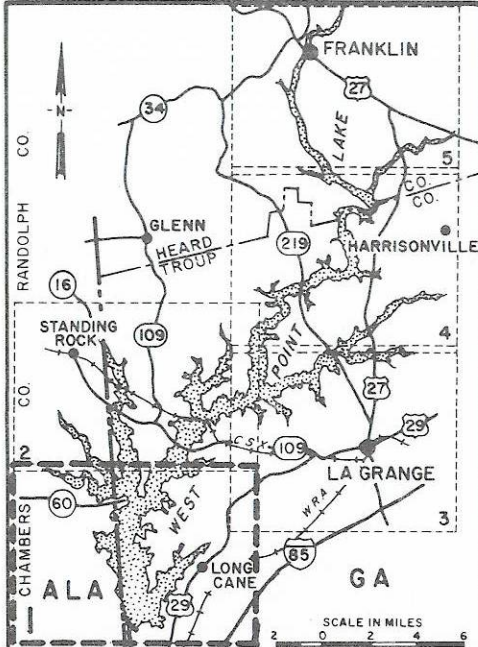
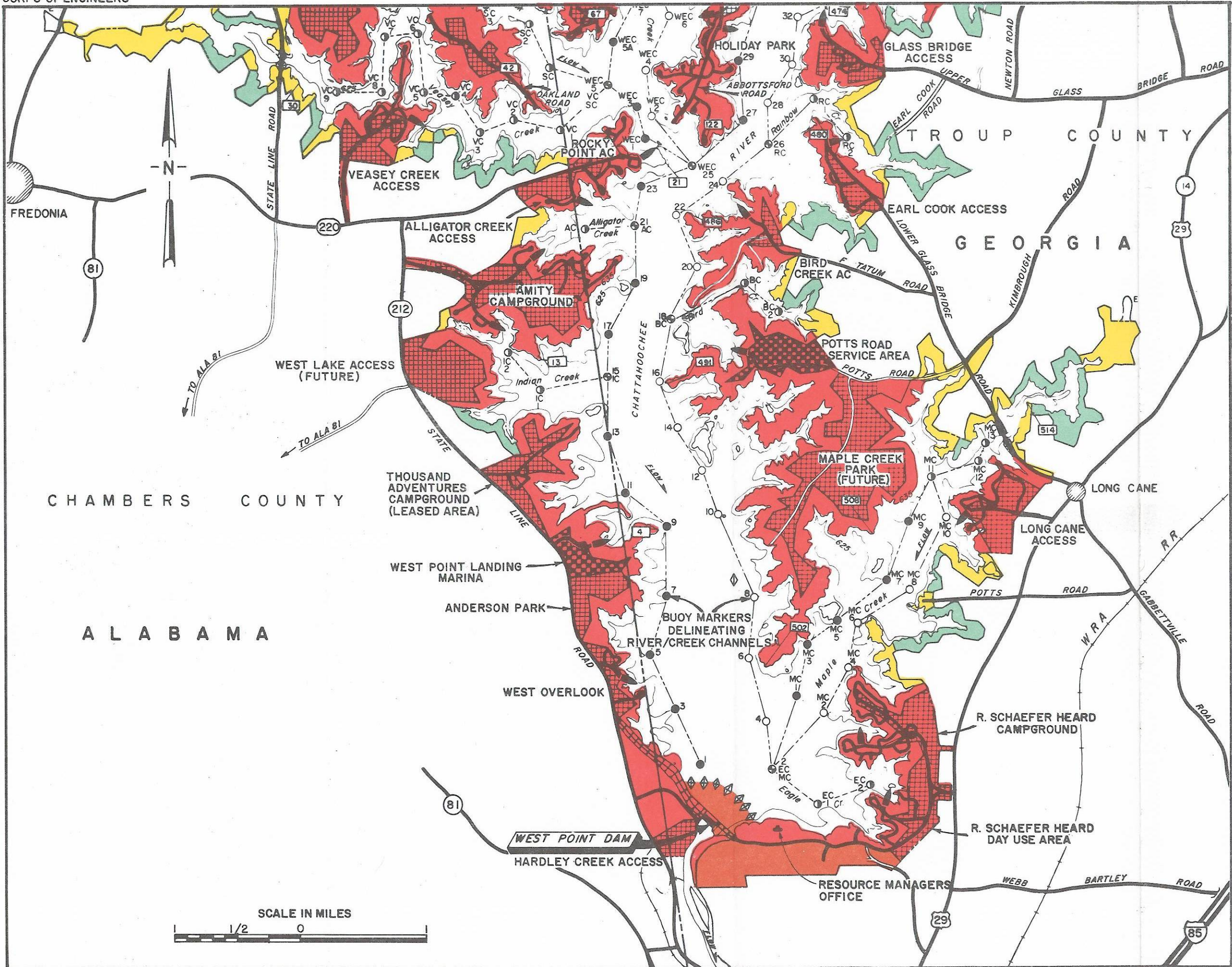
Key to Status:
 E = Endangered
 T = Threatened
 S = Species of Special Concern
 U = Unusual

Key to Counties:
 C = Chambers, Alabama
 R = Randolph, Alabama
 H = Heard, Georgia
 T = Troup, Georgia

Protected Wildlife of West Point Lake
(Includes Chambers and Randolph Counties, Alabama
and Troup and Heard Counties, Georgia)

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Mammals		
Gray bat	<u>Myotis grisescens</u>	Endangered
Indiana bat	<u>Myotis sodalis</u>	Endangered
Florida panther	<u>Felis concolor coryi</u>	Endangered
Birds		
Bald eagle	<u>Haliaeetus leucocephalis</u>	Endangered
Peregrin falcon	<u>Falco peregrinus</u>	Endangered
Bachman's Warbler	<u>Vermivora bachmanii</u>	Endangered
Red-cockaded woodpecker	<u>Picoides borealis</u>	Endangered

EXHIBIT II



LOCATION MAP

LEGEND

- FEDERAL, STATE, INTERSTATE
- PROJECT BOUNDARY LINE
- 635 RECREATION POOL ELEVATION
- PAVED ROAD
- UNPAVED ROAD
- 525 SHORELINE MILES AT ELEVATION 635 MEASURED CLOCKWISE FROM DAM

SHORELINE MANAGEMENT CATEGORIES

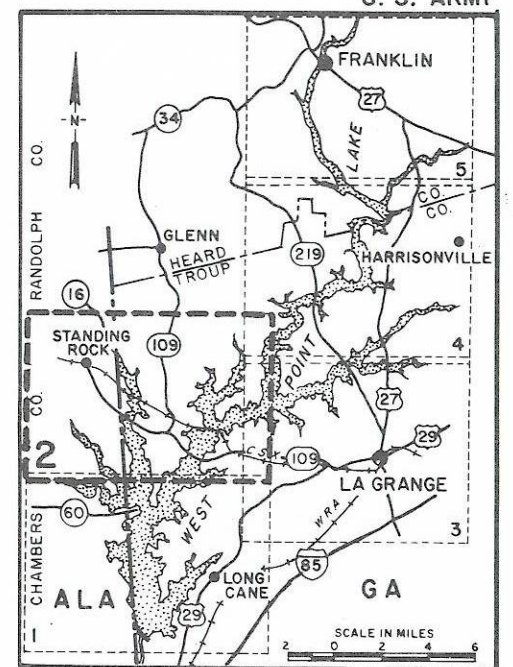
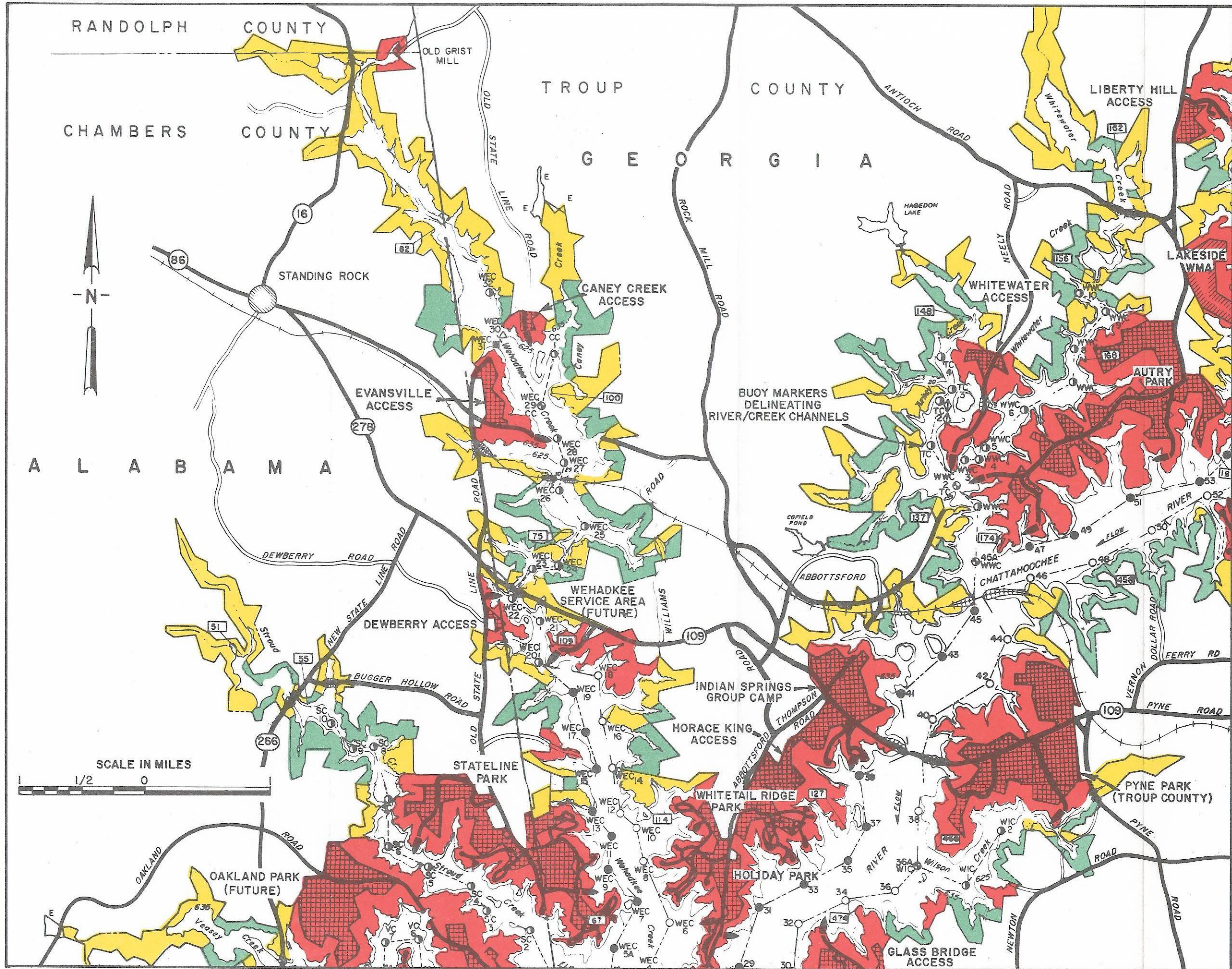
- PUBLIC RECREATION AREA
- LIMITED DEVELOPMENT
- PROTECTED LAKESHORE
- PROHIBITED ACCESS

DISCLAIMER STATEMENT FOR SHORELINE MANAGEMENT ALLOCATION MAPS

THESE MAPS ARE PROVIDED TO SHOW THE GENERAL SHORELINE ALLOCATIONS. THESE MAPS SHOULD BE USED AS A GUIDE ONLY AND FIELD DOCUMENTATION MAY BE REQUIRED IN SOME INSTANCES. IF YOU HAVE ANY QUESTIONS CONCERNING SHORELINE ZONING, PLEASE VISIT THE WEST POINT LAKE RESOURCE MANAGEMENT OFFICE AND REFERENCE THE ALLOCATION MAPS IN THE VISITORS CENTER.

WEST POINT LAKE
ALABAMA AND GEORGIA
SHORELINE MANAGEMENT

U. S. ARMY ENGINEER DISTRICT, MOBILE
CORPS OF ENGINEERS
WEST POINT, GEORGIA
1993



LOCATION MAP

LEGEND

- FEDERAL, STATE, INTERSTATE
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- 635 RECREATION POOL ELEVATION
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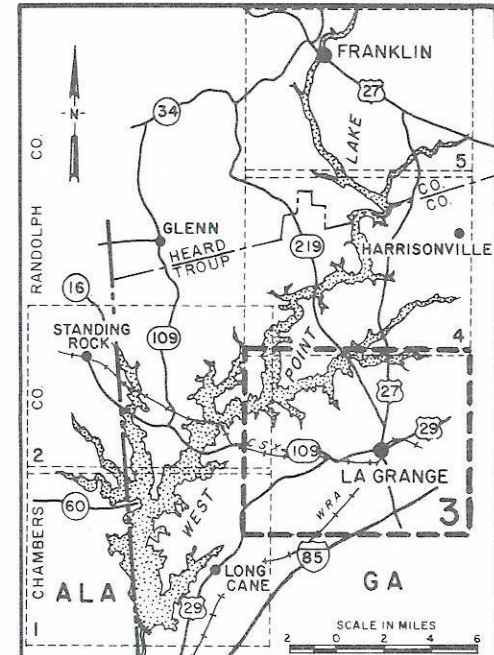
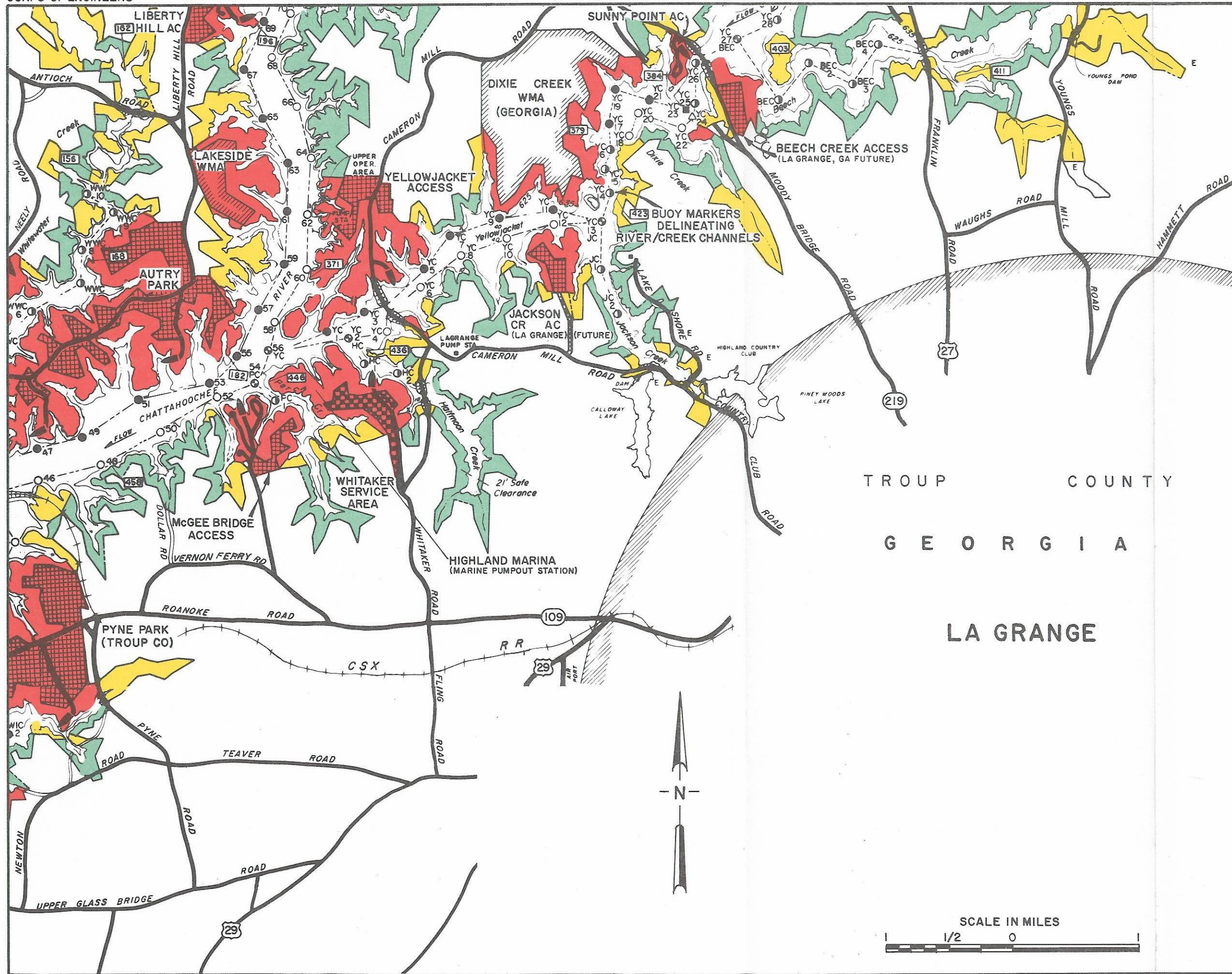
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- PROTECTED LAKESHORE

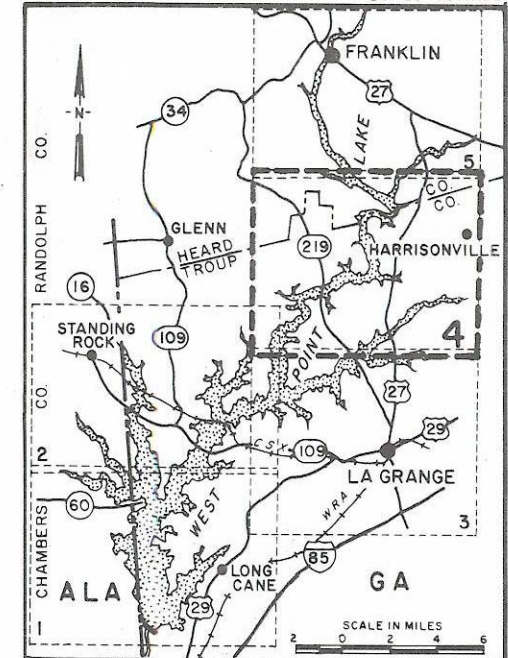
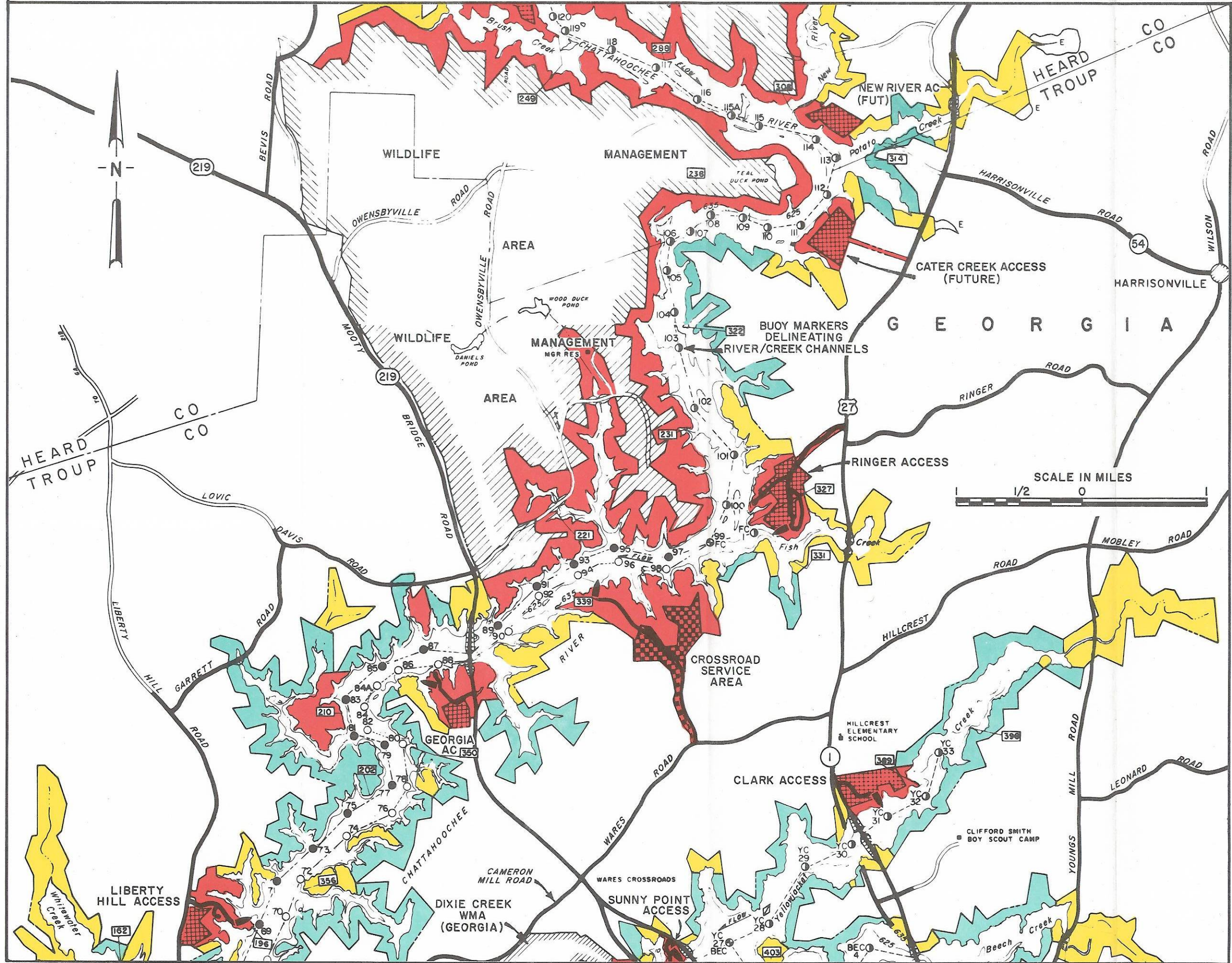
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ALABAMA AND GEORGIA
SHORELINE MANAGEMENT
U. S. ARMY ENGINEER DISTRICT, MOBILE
CORPS OF ENGINEERS
WEST POINT, GEORGIA
1993

TROUP COUNTY
GEORGIA
LA GRANGE





LOCATION MAP

LEGEND

- FEDERAL, STATE, INTERSTATE
- PROJECT BOUNDARY LINE
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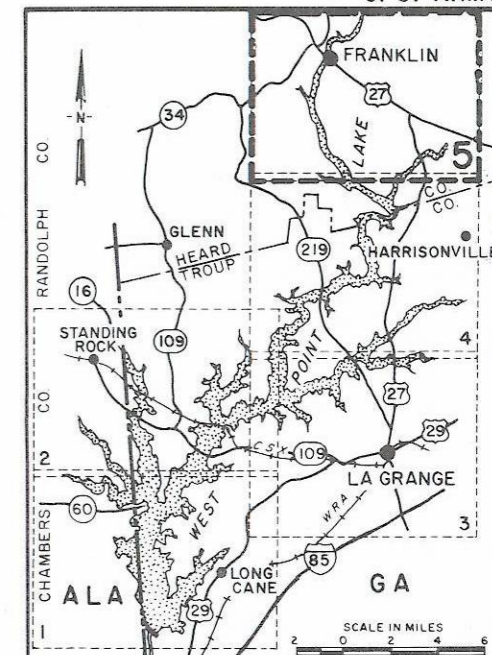
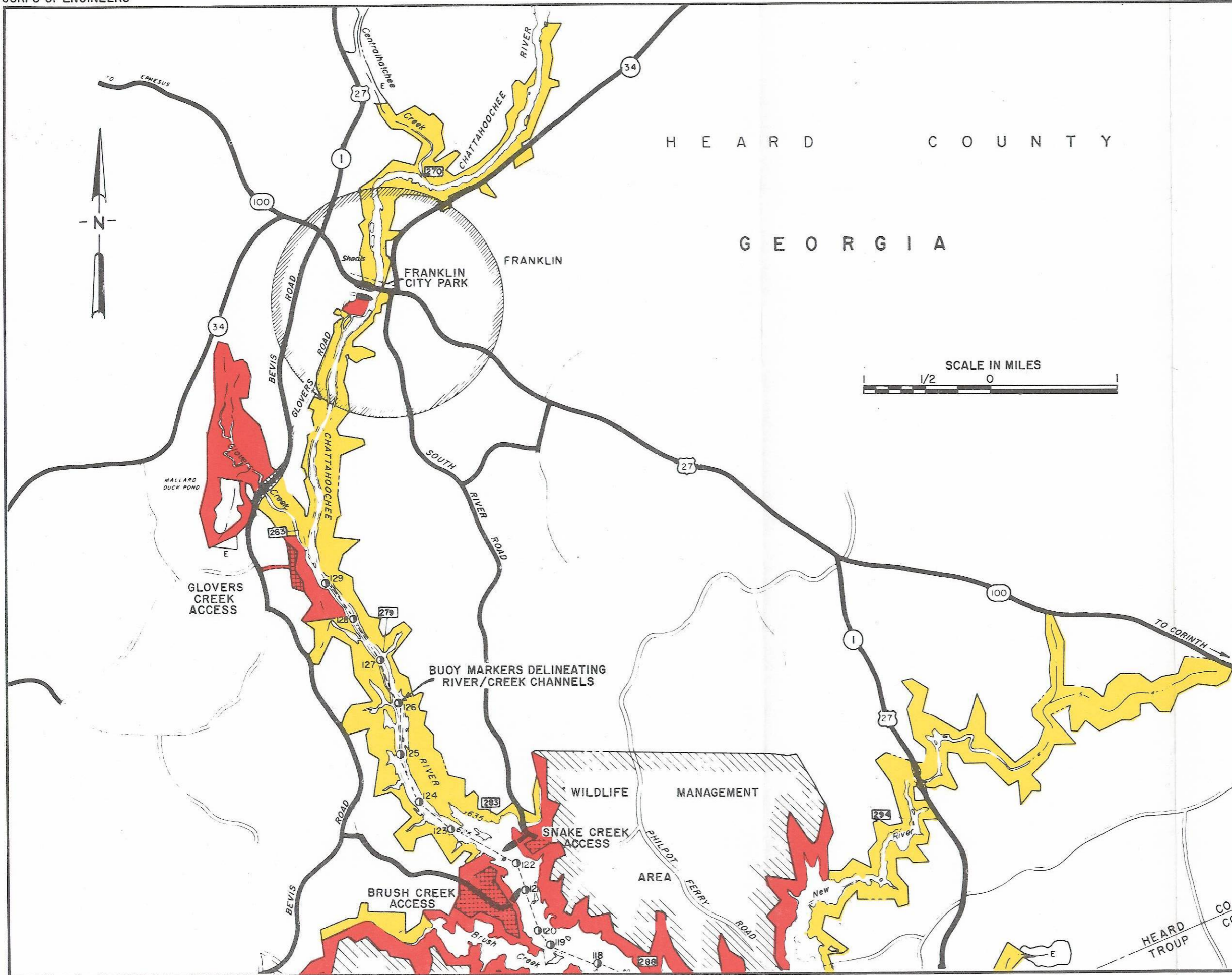
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ALABAMA AND GEORGIA
SHORELINE MANAGEMENT
U. S. ARMY ENGINEER DISTRICT, MOBILE
CORPS OF ENGINEERS
WEST POINT, GEORGIA
1993



LOCATION MAP

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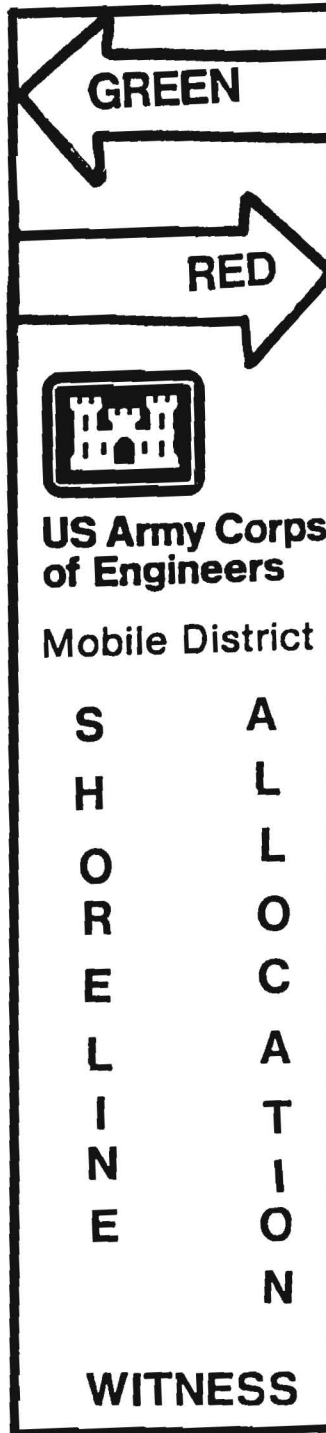
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ALABAMA AND GEORGIA
SHORELINE MANAGEMENT
U. S. ARMY ENGINEER DISTRICT, MOBILE
CORPS OF ENGINEERS
WEST POINT, GEORGIA
1993

EXHIBIT III

SHORELINE ALLOCATION SIGNAGE



GREEN - Limited Development Area

YELLOW - Protected Area

RED - Public Recreation Area

EXHIBIT IV

SHORELINE USE PERMIT CONDITIONS

1. This permit 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 facility, growing out of the ownership, construction, operation or maintenance by the permittee of the permitted facilities and/or activities.
3. Ownership, construction, operation, use and maintenance of a permitted 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 facility or to unreasonably interfere with any authorized project purposes, including navigation in connection with the ownership, construction, operation or maintenance of a permitted facility and/or activity.
5. The permittee agrees that if subsequent operations by the Government require an alteration in the location of a permitted facility and/or activity or if in the opinion of the district commander a permitted 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 facility, without expense to the Government.
6. The Government shall in no case be liable for any damage or injury to a permitted 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.
7. Ownership, construction, operation, use and maintenance of a permitted 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.
8. This permit 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 facility and/or activity.
9. The permittee agrees to construct the facility within the time limit agreed to on the permit issuance date. The permit shall become null and void if construction is not completed within that period. Further, 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.
10. The permittee shall remove a permitted facility within 30 days, at his/her expense, and restore the waterway and lands to a condition accepted by the resource manager upon termination or revocation of this permit or if the permittee ceases to use, operate or maintain a permitted facility and/or activity. If the permittee fails to comply to the satisfaction of the resource 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 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 will not be leased, rented, sub-let or 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. On all new docks and boat mooring buoys, flotation shall be of materials which will not become waterlogged (not over 1 1/2 percent by volume ASTM), is resistant to damage by animals, and will not sink or contaminate the water if punctured. No metal covered or injected drum flotation will be allowed. Foam bead flotation that is not subject to deterioration through loss of beads, meets the above criteria, and has a minimum density of 1.2 lb/cu ft is authorized. Foam bead flotation with a density of 1.0 lb/cu ft, but does not otherwise meet the above criteria is authorized provided it is encased in an approved protective coating which enables it to meet the specifications above. An approved coating is defined as warranted by the manufacturer for a period of at least eight years against cracking, peeling, sloughing and deterioration from ultra violet rays, while retaining its resiliency against ice and bumps by watercraft. 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 should be replaced with approved flotation.
15. Permitted facilities and activities are subject to periodic inspection by authorized Corps' representatives. The resource 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 resource 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 display tag shall be posted on the permitted facility and/or on the land areas covered by the permit so that it can be visually checked with ease in accordance with instructions provided by the resource manager.
18. No vegetation other than that prescribed in the permit will be damaged, destroyed or removed. No vegetation of any kind will be planted, other than that specifically prescribed in the permit.
19. No change in land form such as grading, excavation or filling is authorized by this permit.
20. This permit is non-transferable. Upon the sale or other transfer of the permitted 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 whenever the public interest necessitates such revocation or when the permittee fails to comply with any permit 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 resource 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 letter.
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.
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 resource 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.
25. When vegetation modification is allowed, the permittee will delineate the Government property line in a clear, but unobtrusive manner approved by the resource manager and in accordance with the project Shoreline Management Plan.
26. If the ownership of a permitted facility is sold or transferred, the permittee or new owner will notify the Resource Manager of the action prior to finalization. The new owner must apply for a Shoreline Use Permit within 14 days or remove the facility and restore the use area within 30 days from the date of ownership transfer.
27. If permitted facilities are removed for storage or extensive maintenance, the resource 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, PL87-874.

PURPOSES

These applications are used in considering the issuance of permits for floating facilities and landscaping by private landowners adjacent to the 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 requirements 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 will 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.

Application and Permit/License
For Lakeshore Use

U.S. Army Corps
of Engineers
South Atlantic Division

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 Resource Manager. (READ PRIVACY ACT STATEMENT ATTACHED PRIOR TO COMPLETING THIS FORM.)

Name of Company:
Name of Applicant:
Address:
City/State/Zip:

Home Telephone:
Off. Telephone:

Describe facility or use requested. Include location. List permit number of boats to be docked if this request is for a boat mooring facility. Include length of boats:

The following person will be available on short-notice call and will be responsible for providing any needed surveillance of the structure in my absence:

Name:
Address:
City/State/Zip:

Home Telephone:
Off. Telephone:

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 Resource Manager.

Special Permit License Conditions:

Permit/License Number:

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 _____
Resource Manager
West Point Lake