

EXHIBIT IX



US Army Corps
of Engineers
Mobile District

ALG 07 Regional Permit Conditions

Construction and/or maintenance of piers, wharfs, and their normal appurtenances such as stairways and walkways.

on West Point Lake

Fueling facilities and toilets over navigable waters of the United States are specifically excluded from this authorization.

I. SPECIAL CONDITIONS: The above-described structures and activities may be authorized under these Regional Permits subject to the following conditions:

a. Structures and activities that may be hazardous to navigation, or may produce adverse effects on the chemical, physical, or biological integrity of the water bodies such as dredging or filling of wetland areas, cannot be authorized under these Regional Permits. Activities that involve the disturbance of oyster beds and/or fishing reefs cannot be authorized under these Regional Permits. The term "wetland" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Such areas serve important purposes relating to water quality, fish and wildlife, recreation, and other elements in the general public interest. As environmentally vital areas, they constitute a productive and valuable public resource, the unnecessary alteration or destruction of which are contrary to the public interest.

b. The applicant must submit satisfactory plans and is advised that all State and local permits must be obtained. Concurrence from local, State, and/or Federal water resource management authorities, where applicable, must be submitted with the application.

c. Conformance with description and quantities contained herein does not necessarily guarantee consideration and/or subsequent authorization under these Regional Permits.

d. These Regional Permits will be valid for a five-year period or until suspended or revoked. They may be suspended or revoked, in whole or in part, if it is determined that the cumulative effects of any activities pursuant to them adversely affect water quality, navigation, or other public interest factors. Such suspension shall be effective upon issuance of a public notice, which shall indicate the date and reason for the suspension. Reviews will be conducted periodically to determine if continuation of these permits are in the overall public interest. Within five years from the date of this public notice these permits will be readvertised via public notice as part of the public interest review. Individual authorization issued under these General Permits will be valid for a 3-year period.

e. Authorizations will not be issued under these Regional Permits which will adversely impact threatened or endangered species, or their critical habitat.

f. Authorizations will not be issued under these Regional Permits which will impact, affect, or otherwise degrade cultural resources such as archaeological, scientific, prehistoric or historic sites or data. If, during construction of an authorized activity such resources are discovered, all work will be halted immediately and the District Office notified.

g. Authorizations will not be issued under these Regional Permits for activities located in State or National Wild and Scenic streams, rivers , or components thereof.

h. Authorizations will be suspended if State water quality standards are not met.

i. If the proposed activity is located on one of the following Corps of Engineers Lakes, the plans must be reviewed and approved, and may be issued by the Resource Manager in lieu of the Mobile District. The Resource Manager will furnish a monthly listing of all such authorizations to the Regulatory Branch, Mobile District Office.

Claiborne Lake, William "Bill"
Dannelly Reservoir, and R. B.
"Bob" Woodruff Lake:
Alabama River Lakes
US Army Corps of Engineers
Resource Manager
Route 1, Box 43-H
Camden, AL 36726-9109

Lake Seminole
US Army Corps of Engineers
Resource Manager's Office
P.O. Box 96
Chattahoochee, FL 32324-0096

Aliceville Lock and Dam
US Army Corps of Engineers
Route 2, Box 352X
Carrollton, AL 35447-9648

Walter F. George Lake and
George W. Andrews Lake
US Army Corps of Engineers
Resource Manager's Office
P.O. Box 281
Fort Gaines, GA 31751-0281

Coffeeville Lake, Warrior Lake,
Demopolis Lake, and Holt Lake:
Black Warrior and Tombigbee Lakes
US Army Corps of Engineers
Resource Manager's Office
P.O. Box 520
Demopolis, AL 36732-0520

West Point Lake
US Army Corps of Engineers
Resource Management Office
500 Resource Management Drive
West Point, GA 31833-9517

II. GENERAL CONDITIONS: In addition to Special Conditions "a" through "i" above, the following general conditions will apply:

a. Any dredging or filling activities not specifically identified and authorized under these Regional Permits constitute a violation of the terms and conditions. Such activities may result in the modification, suspension, or revocation of the individual authorization, and such legal proceedings as the United States Government may consider appropriate.

b. All activities authorized under these permits, involving a discharge or deposit into navigable or ocean waters, or ground waters, will at all times be consistent with applicable State water quality standards, effluent limitations, and standards of performance established in the Clean Water Act of 1977.

c. The permittee shall allow the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activities being performed under authority of these permits are in accordance with the terms and conditions prescribed herein.

d. The permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached to the individual authorization.

e. These permits and subsequent authorizations convey no property rights, either real or personal, or any exclusive privileges, and it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activities authorized herein.

f. These permits do not authorize the interference with any existing or proposed Federal project and the permittee is not entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations by the United States in the public interest.

g. In issuing an authorization under these permits, the Government relies on the information and data which the permittee provides in connection with the permit application. If subsequent to the issuance of an authorization, such information and data prove to be false, incomplete, or inaccurate, the authorization may be modified, suspended, or revoked, in whole or in part, and/or the Federal Government may institute appropriate legal proceedings.

h. Any modification, suspension, or revocation of these permits or authorizations thereunder shall not be the basis for any claim for damages against the United States.

i. No attempt shall be made by the permittee to prevent the full and free use of the public of all navigable waters at or adjacent to the activity authorized by the permit.


j. These permits do not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

k. If and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition 1 hereof, he must restore the areas to a condition satisfactory to the District Engineer.

1. The authorization may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and conditions for the authorizations or by the transferee subscribing to the authorizations and hereby agreeing to comply with all terms and conditions of the authorization. In addition, if the permittee transfers the interest authorized by conveyance of realty, the deed shall reference this permit and the authorizations, and the terms and conditions specified herein and these shall be recorded along with the deed with the Registrar of Deeds or other appropriate official.

m. That if an authorized activity pursuant to these Regional Permits is not completed within THREE YEARS from the date of issuance of an authorization, unless otherwise specified, the authorization, if not previously revoked or specifically extended, shall automatically expire.

DATE: 16 May 1983


for PATRICK J. KELLY, Colonel, CE
Mobile District
US Army Corps of Engineers

For more information contact:
Resource Management Office
500 Resource Management Drive
West Point, Georgia 31833-9517
706-645-2937



US Army Corps
of Engineers
Mobile District

RP 0045 Regional Permit Conditions

Construction and/or maintenance of piers, wharfs and their normal appurtenances such as stairways and walkways.

on West Point Lake

Fueling facilities, living quarters and toilets over navigable waters of the United States are specifically excluded from this authorization.

PERMIT CONDITIONS

I. General Conditions.

1. Anyone intending to use one or more of these Regional permits would be required to notify in writing the appropriate Resource Manager prior to beginning work. No work can proceed until the applicant receives written notification from the Resource manager that the work is within the scope of the Regional Permit(s) and is permitted pursuant to other laws administered through the Resource Manager (such as consistency with the Shoreline Management Plan). The proponent's notification must include: the location of the work; a plan drawing with description of any wetlands involved, including both type (composition) and amount; the quantity and type of material to be excavated; the disposal site for excavated material; and the written intention to comply with all terms and conditions of the Regional Permit(s). All proposals would have to be in accordance with the guidelines and limitations set forth in the conditions of the Regional Permits and approved by the Resource Manager.

2. Activities which are not specified in these Regional Permits or which exceed the limitations of these permits would require individual Department of the Army authorization from the Savannah District Office of the Corps of Engineers before work is started. The District Engineer also may require individual authorization on a case by case basis if he determines authorization under this Regional Permit for a specific project might be contrary to the public interest.

3. The time limit for completing the work authorized will be specified by the Resource Manager, normally 1 year but not to exceed 3 years from the date of obtaining authorization. The permittee shall notify the Resource Manager of the time the authorized activity is commenced and completed.

4. The permittee must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit.

5. If the permittee discovers any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, he must immediately notify the Resource Manager of what he has found. The Resource Manager would then notify the Savannah District Office to determine requirements for further action.

6. If the permittee sells the property associated with this permit, he must notify the Resource manager to obtain validation of the transfer of this authorization.

7. The permittee must comply with any conditions specified by the State of Georgia for certification of water quality pursuant to Section 401 of the Clean Water Act.

8. The permittee must allow representatives from this office or the Resource Management Office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of the permit.

II. Special Conditions:

1. The use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.

2. That no authorizations will be issued under these Regional Permits which will impact, affect, or otherwise degrade any cultural resources which are listed in or nominated for listing in the National Register of Historic Places This includes any future sites that become listed or nominated.

3. That the activities authorized by these Regional Permits will not jeopardize a threatened or endangered species as identified under the Endangered Species Act, or destroy or adversely modify the critical habitat of such species.

4. That any discharge of dredged or fill material shall consist of suitable material free from toxic pollutants in toxic amounts. All fill material, not excavated at project locations, shall be obtained from noncontaminated high ground sources which have little or no organic content.

5. That each disposal site shall be confined to the smallest practicable area.

6. That the permittees agree to make every reasonable effort to prosecute the construction or operation of the work authorized herein in a manner so as to minimize any adverse impact on fish, wildlife, and natural environmental values.

7. That these Regional Permits, or individual activities authorized under them, may be either modified, suspended or revoked, in whole or in part, pursuant to the policies and procedures under 33 CFR 325.7. In issuing authorizations under these permits, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of an authorization under these permits, such information and data prove to have been false, incomplete, or inaccurate, the authorization may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings. (See No. 4 under Further Information - Reevaluation of Permit Decision.)

8. That flotation units of floating facilities shall be constructed of material that will not become waterlogged or sink when punctured.

9. The permittee must install and maintain, at his expense, any safety lights and signals prescribed by the United States Coast Guard, through regulations or otherwise, on the authorized facilities.

FURTHER INFORMATION

1. Congressional Authorities: Authorization to undertake the activities described above are issued pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this authorization:

a. These permits do not obviate the need to obtain other Federal, state, or local authorization required by law.

b. These permits do not grant any property rights or exclusive privileges.

c. These permits do not authorize any injury to the property or right of others.

d. These permits do not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In Issuing these permits, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any further modification, suspension, or revocation of this permit.

4. Reevaluation of Permit Decision. The Corps of Engineers may reevaluate its decision on an activity authorized by a Regional Permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. The permittee's failure to comply with the terms and conditions of the permit.


b. The information provided by the permittee in support of his permit application proves to have been false, incomplete or inaccurate.

c. Significant new information surfaces which the Corps of Engineers did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The reference enforcement procedures provide for the issuance of an administrative order requiring the permittee to comply with the terms and conditions of his permit authorization and for the initiation of legal action where appropriate. The permittee will be required to pay for any corrective measures ordered by the Corps of Engineers, and if the permittee fails to comply with such directive, the Corps of Engineers may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill the permittee for the cost.

These Regional Permits become effective when the Federal official, designated to act for the Secretary of the Army has signed below.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:



STANLEY G. GENEGA
Colonel, U.S. Army
District Engineer



(DATE)

For more information contact:
Resource Management Office
500 Resource Management Drive
West Point, Georgia 31833-9517
706-645-2937

EXHIBIT X



US Army Corps
of Engineers
Mobile District

Handrail Requirements

on West Point Lake

Rigid type handrails are required on all walkways exceeding 4 feet in height above land or water at any time. Handrails are required on both sides of the walkway and must have both a top rail and intermediate rail. The top rail must be 36 to 48 inches above the walkway surface and the intermediate rail is to be approximately one-half the height of the top rail. Rails should be rigid with no protruding upright posts.

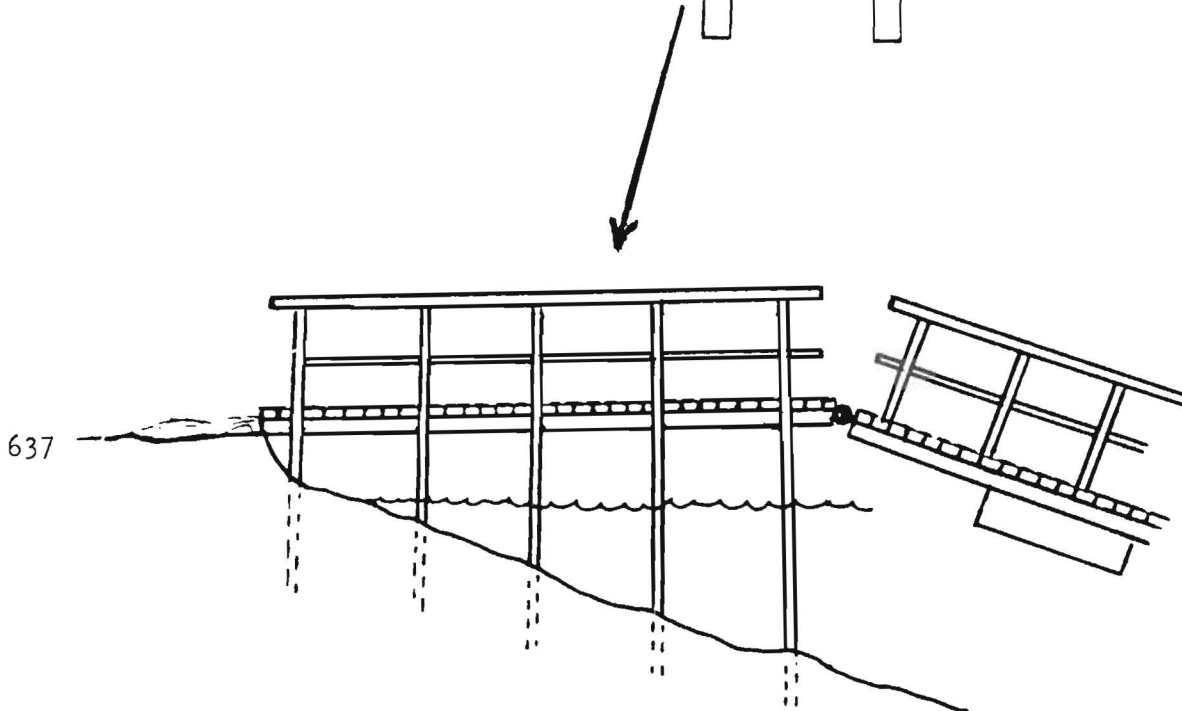
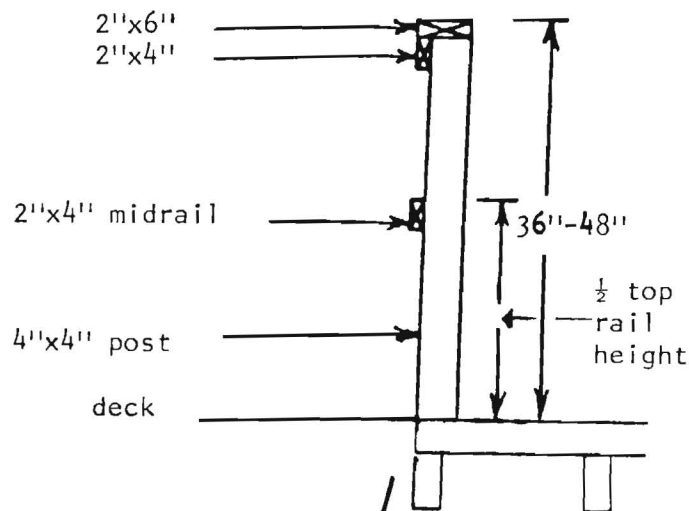


EXHIBIT XI

CORPS OF ENGINEERS REQUIREMENTS FOR INSTALLATION
AND CERTIFICATION OF ELECTRICAL FACILITIES AT
WEST POINT LAKE

SPECIFIC REQUIREMENTS

1. Location: The location of the utility line must not cause a safety hazard. The proposed location must front the permittee's private property.
2. Installation of utility line: All new electrical lines must be installed underground using UF or USE cable, buried a minimum of 24 inches deep and marked with warning tape at a 12 inch depth. Wiring exiting the ground must be installed in conduit. If a water line is installed in the same trench, it must be a minimum of 12 inches above the electric line.

Wiring that is not underground (on poles, docks, etc.) must be protected by an approved type conduit system including all associated units, sections, and fittings. On existing overhead electric lines, whenever the electric line comes down the pole, it must have a weather-head and be protected by approved-type conduit. Also, any electric line attached to a floating facility must be protected by an approved-type conduit with all junctions and receptacles being of the weatherproof type. This will be required on existing electric lines upon repair, reissuance or reassignment, whichever comes first.
3. Shoreline Service Pole: If used, the service pole must be set at or above the 642' NGVD elevation. The pole can be a maximum of 6 inches in diameter or square and 10 feet high. If surplus cable is maintained for use during low lake levels, it should be coiled and attached to service pole.
4. Shoreline Distribution Panel: If used, the panel should be located at eye level, no less than 5 feet above the ground. Cable leading from ground to panel must be enclosed in conduit. Cable supplying service to dock must be equipped with quick disconnect fittings mounted above 642' NGVD elevation and must be protected by A Ground Fault Circuit Interrupter (GFCI). The GFCI can be provided in the shoreline distribution panel or in the main panel at the house.
5. Receptacles: All receptacles on public lands or waters must have ground fault protection and be mounted in weatherproof boxes with self-closing caps.

Convenience receptacles on docks must be mounted at least 30 inches above the deck. No receptacles are permitted on walkways. A maximum of one duplex or two single receptacles are permitted on the dock, and must be of 15 or 20 ampere rating.

Land receptacles must be mounted at or above the 642' NGVD elevation and be at least 4 feet above the ground.

Receptacles providing shore power for boats must be a minimum of 20 ampere rating and be of the locking and ground type.
6. Dock Wiring: All electrical lines and cables on or attached to dock must be approved for wet location and protected by conduit. All wiring must be enclosed in approved conduit in such a way that entry of moisture is prevented.

All lines must be attached to the outside edge or underside of the walkway or dock.

At moveable walkway and dock joints, links of liquidtight, flexible conduit must be used.

7. Lighting: Lighting shall be limited to a minimum necessary for safe access with a maximum bulb size limited to 150 watts. Fixtures and lights must be approved for damp/wet locations and cannot be mounted to extend beyond the outer perimeter of the dock. Light must be aimed downward.

Lighting along path may be of low voltage-type with no exposed wiring.

GENERAL REQUIREMENTS

1. All breakers, cables and receptacles must be sized to accommodate service needs.
2. Adapters for the purpose of additional hook-ups and/or altering the designed purpose are prohibited.
3. Installation should be performed by a licensed electrician.
4. The U.S. Army Corps of Engineers will assume no liability.



US Army Corps
of Engineers
Mobile District

Certification of New Electrical Installation Facilities on West Point Lake

All electrical installation facilities must be certified for safety compliance with applicable codes by a licensed electrician or electrical engineer before the permit will be issued. This applies to electrical service on public lands and private docks. In addition to National Electrical Code Standards, Corps of Engineers requirements are listed inside this document and on the back page diagram.

Permittee: _____

Permit Location: _____

NEW INSTALLATION

Requires certification (signature) by electrical engineer or licensed electrician and by permittee prior to installation.

I certify that this electrical installation plan provides for ground fault protection and that its contents meet or exceed the current National Electrical Code Standards and Corps of Engineers requirements for this type of location. Materials, workmanship, and installation methods will be in accordance with this plan.

Electrician/Elec. Engineer (Signature)

State Certification No.

Permittee (Signature)

Permit No. (for office use)



US Army Corps
of Engineers
Mobile District

Certification of Existing Electrical Installation Facilities on West Point Lake

All electrical installation facilities must be certified for safety compliance with applicable codes by a licensed electrician or electrical engineer before the permit can be reissued. This applies to electrical service on public lands and private docks. In addition to National Electrical Code Standards, Corps of Engineers requirements are listed inside this document and on the back page diagram.

Permittee: _____

Permit Location: _____

Permit Number: _____

INSTALLATION WITHOUT PREVIOUS ELECTRICAL CERTIFICATION

Requires certification (signature) by electrical engineer or licensed electrician.

On _____, 19____, I inspected the electrical installation/facility on public land adjacent to the above permittee's private land at the above location. I certify that this installation or facility is safe, and that it meets or exceeds the current National Electrical Code Standards and Corps of Engineers requirements for this type of location.

Electrician/Elec. Engineer (signature)

State Certification No.

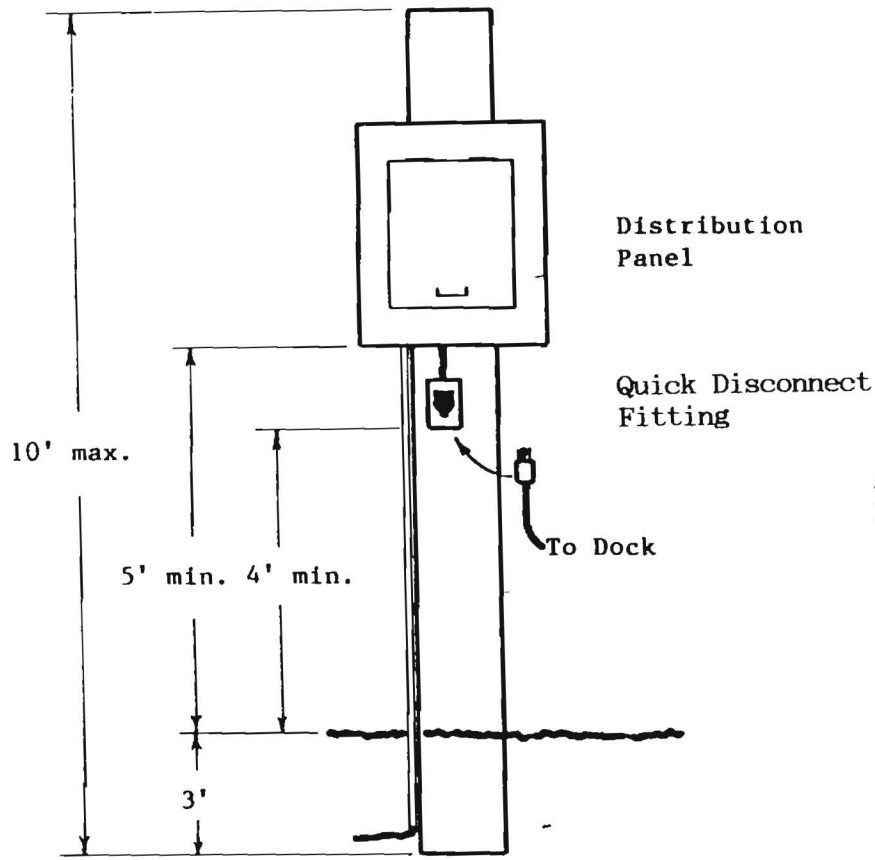
EXISTING INSTALLATION WITH PREVIOUS ELECTRICAL CERTIFICATION

Requires permittee's signature.

On _____, 19____, this electrical installation or facility was certified by _____ to meet the National Electric Code Standards as well as the Corps of Engineers requirements for this type of location. Since the initial certification, I have maintained the system in good condition and have made no unapproved alterations to this installation or facility.

Permittee signature

Date



ALL CONNECTIONS MUST BE
LOCKING AND GROUNDING TYPE

SERVICE POLE DETAIL

