

***APPENDIX C***  
***COMMENTS AND RESPONSES TO COMMENTS***  
***ON THE DRAFT EIS***

**Comment Form**

Draft EIS for Lake Sidney Lanier

All comments must be received by December 23, 2002.

\* Name (optional) \_\_\_\_\_

Agency/Organization \_\_\_\_\_

Address \_\_\_\_\_

\*(If you wish to have your name listed as a commenter in the Final EIS, please provide your name and address.)

**I. Please check the affiliation that is applicable to you.**

(Please check only one):

- Lake Lanier Resident       Lake Lanier Recreational User       Civic Organization  
 University       Environmental Organization       Local/County Government  
 State Government       Federal Government       Other \_\_\_\_\_

**II. Demographic Information**

County FORSYTH  
 City GAIDESVILLE  
 State GA      ZIP Code 30506

**III. Comments on the No Action Alternative**

[1] NO ACTION, IS LIKE PUTTING YOUR HEAD IN A HOLE IN THE SAND (LAKE)!

**IV. Comments on the Preferred Alternative**

[2] MOSTLY GOOD, BUT SOME CHANGES SEEM TO IMPOSE RESTRICTIONS ON ONE NEIGHBOR BUT ALLOW "GRANDFATHER" CLAUSES TO CONTINUE FOR OTHERS I.E. GRASS CUTTING - C.H. WIRING ETC., LOUD SOUNDS SYSTEMS (RADIO) ON DOCKS

**V. Comments by Issue**

\* Fisheries, Wildlife, and Forestry Management:

[3] POT A "BOUNTY" ON GEESE, HUMANILY TRAPPED FOR RELOCATION (BY DNR OR OTHERS) OR BY SELECTIVE THINNING WITH "BOUNTY" OFFERED - PAID FOR OUT OF USER FEES. I LOVE WILDLIFE BUT THE QUANTITY IS OUT OF CONTROL

(\* Boat Docks):

[4] THE REASON MOST PEOPLE LIVE "ON THE LAKE" IS TO HAVE A DOCK TO ENJOY AND SOME TYPE OF BOAT. IN SOME "CLUSTER" LOCATIONS A COMMUNAL DOCK WOULD WORK, BUT EXISTING RULES FOR DOCK PLACEMENT SEEMS TO WORK WELL FOR LOCATIONS WITH ADJACENT WATER FRONTAGE - GRANTED THESE TYPE OF LOCATIONS ARE IN SHORT SUPPLY

[1] Comment noted.

[2] "Grandfathering" is simply the method the Corps uses to fulfill prior agreements between the government and adjacent landowners. The grandfather clause applies to activities previously authorized only with the intent that no new authorizations will be permitted such as planting of grass and overhead electrical wiring to docks.

[3] There has been a general decline in the goose population from approximately 2,000 to 1,500 due in part from hunting and the effects of drought. Goose hunting is currently the only method for thinning goose populations on Lake Lanier. GA DNR believes the goose population at Lake Lanier is below the biological carrying capacity that could be potentially supported by Lake Lanier, and is at or near the capacity tolerated by most lake residents (social carrying capacity). No further management is believed to be necessary at this time.

[4] Comment noted.

- [5] Watersheds and Water Quality: BETTER STATE CONTROL OF RUN OFF SITES - CHICKEN HOUSES - CONSTRUCTION - GEESE - SEWER DUMPING INTO LAKE. CONTINUING ABUSE OF LAKE - WILL MAKE IT A "DEAD" LAKE - OF NO USE TO ANYONE'S NEEDED
- [6] Recreation and Aesthetics: CURBWAY/GOOD SIGNS POSTED AT ALL BOAT RAMPS, ETC AS TO 100' IDLE SPEED. <sup>(SLOW)</sup> BETTER LAKE SIGNAGE MARKERS, POINTS, CREEKS, ETC. "45M" DOES NOT MEAN MUCH TO PEOPLE WHO DO NOT KNOW LAKE - SOME MARKERS
- [7] Shoreline Management: ARE WORD AND IN POORLY VISIBL<sup>E</sup> LOCATIONS. A LOT NEAR ME HAS "O" VEGETATION, EXCEPT GRASS AFTER LOGGERS SLOWLY CUT DOWN EVERYTHING. WE HAVE LOST MANY TREES TO BEETLES OVER 30 YRS. MOST HAVE BE REPLACED BY PLANTED, MAPLE, DOGWOODS, AND SOME PINES AND
- [8] Commercial Activities: WOULD LIKE THE CORPS TO "EDUCATE" EVERYONE TO REPLACE ANY LOST TREES WITH A SIMILAR TREE OR NATIVE SHRUBS. WE HAVE A LARGE WATER EDGE EXPOSURE (200 PLUS FT) APPROX 2 TO 3' HIGH, WOULD LOVE TO GET IT RIP-RAPPED, IF SOME SORT OF GRANT WOULD BE AVAILABLE TO HELP WITH COST OF MATERIAL - TAX CREDIT ETC.? IT IS PROTECTING GOV'T PROPERTY.
- [9] CORP. ACTIVITIES: ABOUT RIGHT SOUTH OF FROWN BRIDGE, BOAT NORTH COULD USE "MARINA SERVICES" AND BOAT ACCESSABLE RESTAURANTS, BOAT ACCESSABLE PARKS WITH REST ROOMS ETC.
- [10] VI. LARGE FAST BOATS DO NOT BOTHER ME EXCEPT FOR THE ILLEGAL EXHAUST & MUFFLER SYSTEMS FOR WHICH THERE SEEMS TO BE NO ENFORCEMENT. A 100 H.P. BOAT WITH ILLEGAL EXHAUST, [WHICH ALL CIGARETTE TYPE], SEEM TO HAVE, AT IDLE, A BOAT 500 FT FROM MY HOUSE, WILL DROWN OUT MY RADIO OR TV. I HAVE SPOKEN WITH DNR SEVERAL TIMES, BUT BECAUSE THEY HAVE NO "NOISE MEASURING" CAPABILITY THEY DO NOT ENFORCE THE 80 DECIBEL LAW. A REQUIRED INSPECTION OF ANY BOAT WITH "CUT OUTS" OR DIRECT ABOVE WATER EXHAUSTS SHOULD BE MANDATORY AND ENFORCED! A BOAT YOU CAN HEAR FROM 2 MILES AWAY SHOULD NOT REQUIRE A "NOISE MEASURING" DEVICE. BOTH THE DNR & CORPS SHOULD BE CONCERNED ABOUT HOW MUCH THIS INTERFERES WITH THE MANY USERS OF THE LAKE TO ENJOY ONE OF AMERICA'S TRULY BEAUTIFUL SPOTS. DOES LANIER REALLY NEED BOATS CAPABLE OF SPEEDS OVER 100 MPH WITH OPEN EXHAUSTS.?

CRAIG YOUNG

- [5] Comment noted.
- [6] The majority of the lake's boat ramps are posted as slow no wake zones. However, State law requires idle speed within 100 feet of all ramps. An explanation of the creek marker and navigation system description is available to boaters on the Corps web site at <http://lanier.sam.usace.army.mil>
- [7] Whenever revegetation efforts are undertaken the Corps would support the use of a full range of overstory, midstory and understory plants as needed to restore the area to a natural state.
- [8] The Corps does not issue tax credits. Those interested in receiving tax credits must contact the appropriate agency or source.
- [9] The public has indicated the need for boater services, such as fuel service, boat storage, restaurants, etc.
- [10] Title 36 CFR Section 327.12 prohibits sound producing equipment that unreasonably annoys or endangers a person. See SMP Section 15.3.14, *Furniture, Decorative Items and Garden Plants*, Paragraph 2. The enforcement of existing state laws and federal regulations is difficult. Violations must be documented by either a decibel meter or verification of a defective muffler. Which neither the Corps nor the State have expertise or manpower to operate.

[11] WE SEE NO PURPOSE IN CLOSING "SOME RAMPS AND DAY USE PARKS" ON SOUTH LAKE (SOUTH OF BROWN'S BRIDGE, AND REPLACE WITH PARKS ON NORTH END... SOUTH PARKS & RAMPS ARE IN PLACE AND I CAN THINK OF NONE THAT WOULD IMPROVE THE USE OF NORTH END PARKS. NORTH END USE WILL INCREASE AS DAWSON, LUMPKIN, WHITE, AND HALL-NORTH INCREASE IN POPULATION. PARKS LOCATIONS SHOULD HAVE EASY ACCESS FROM 400 N, AND 985/365 NORTH, WHERE POSSIBLE ACCESS ROADS NO MORE THAN 10 MILE, AND 5 MILE WOULD BE BETTER FROM ABOVE MAIN HIGHWAYS.

[12] AT LEAST ONE PARK LIKE "OLD FEDERAL" WITH BEACH ACCESS, BOAT RAMPS, AND TENT & R.V. SHOULD BE AVAILABLE ON CHESTER, AND CHATTAHOOCHEE. WITH SMALLER ACCESS PARKS - ALL WITHIN EASY ACCESS OF MAIN ROADS - THAT WILL DRAW TRAFFIC TO NORTH.

[13] I DON'T THINK THE CORPS SHOULD GET INVOLVED WITH ANOTHER LAYER OF GOV'T. IN SEPTIC INSPECTIONS ETC. THE INSPECTION & MAINTENANCE SHOULD BE A "COUNTY FUNCTION". ANY SYSTEM THAT DOES ENCRUMB ON GOV'T LAND SHOULD BE ENFORCED AND RELOCATED ACCORDING TO "COUNTIES" INVOLVED.

[11] The text in the EIS has been changed to no longer include closure of recreational sites.

[12] The Corps operates two full facility campgrounds on the Chestatee River (Duckett Mill and Bolding Mill parks). There is not suitable land with good access under Corps management for a campground site on the upper Chattahoochee.

[13] We concur with the views expressed and the existing SMP takes advantage of the existing county inspection process.

*Response to Comments*  
Timothy Anderson

December 17, 2002

Glenn Coffee  
U.S. Army Engineer  
District Mobile  
Attn: CESAM-PD-E  
P.O. Box 2288  
Mobile, AL 35528-0001

Dear Mr. Coffee:

-I have reviewed the proposed Lake Lanier Shoreline Management Plan and would like to make a few comments.

In general I agree with the plan to better protect the lake from pollutants by managing the shoreline and requiring proper care and safety of the docks. I do, however, feel there needs to be some common sense applied to the issues.

[14]

There needs to be a partnership between the private homeowners and the Corp. to promote mutual goals. The homeowners have a great stake in the health of the lake and will generally do a good job of limiting intrusion if their well being and the value of their property is also considered. The goal of the Corp. is to stop run-off that will pollute and erode the lake and silt the shoreline. The owners have the same goal. So limiting or banning of mowed areas on the shoreline is reasonable. As a reasonable trade off, homeowners should be allowed to maintain existing site corridors enhancing views. Creating new corridors for viewing is not necessary, but those with views today should not lose what they already have as long as the watershed properties of the land are not affected. Loss of a dock permit is stiff penalty for minor violations. I believe this extreme penalty should be used sparingly and the punishment should fit the crime. (Considering the just passed ruling allowing millions of gallons of sewage to be dumped into the lake by Gwinnett County its hard to say the small amount of run-off from any yard should be treated too harshly.)

[15]

-I understand there are proposed limits on the size of boats that may be moored to docks. I believe this is fair as long as the boat is no longer than the maximum size of any dock on the lake, 32 feet. I have chosen a smaller dock than the max to help with the overall crowding of the lake. However I have a 32-ft. sailboat moored to the dock. I don't feel this is unreasonable. I don't feel its reasonable to punish people that choose smaller docks by limiting the size of the boat they choose as long as it's no longer than 32 ft. Boats exceeding 32 feet belong in a marina anyway.

I am more than willing to work with the Corp. to achieve our common goals as long as they are willing to work with me. Seems reasonable.

Sincerely,

Timothy Anderson

[14]

It is the responsibility of the Corps to protect the valuable natural resources at Lake Lanier. To promote environmental sustainability through a healthy ecosystem for current and future generations to enjoy. These goals and objectives are pointed out in both the SMP and EIS. Maintenance and preservation of the forest buffer at Lake Lanier contributes to these objectives. To protect the lakes vegetative buffer and water quality the Corps utilizes many criminal, civil and administrative penalties. Of these penalties, permit revocation is just one method to deter the unauthorized clearing of public property.

[15]

The SMP has been modified to read as follows:

“In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner’s ability to safely moor and protect from storm damage must be stored in marina facilities. Therefore, based on this language it possible that boats larger than the dock could be moored. Each situation will be considered on a case-by-case basis.”

*Response to Comments*  
Louise Ball

-----Original Message-----  
From: Louise Brooks [mailto:louiseb14@alltel.net]  
Sent: Saturday, December 21, 2002 2:25 AM  
To: Coffee, Glendon L  
Subject: Re: War Hill Marina  
Importance: High

Dear Mr. Coffee,

- |      |   |      |  |
|------|---|------|--|
| [16] | I read in the Dawsonville Newspaper just this Wednesday for the first time, that the War Hill area is being considered for a marina.  | [16] | The potential leasee is not interested in leasing the War Hill Park at this time. However, there is still a need for marina services on the Chestatee River and the Corps will continue to look for a way to provide a marina operation in the area.   |
| [17] | Firstly, I find issue that I as a property owner and Corp permit holder that I was not informed by some means other than just by chance of picking up a newspaper.  | [17] | No information had been released prior to the Draft EIS because discussions with Forsyth County (the proposed lessee) were preliminary in nature—Forsyth County has shown no interest in leasing the War Hill area to establish a marina. If the County had shown an interest, the public would have been informed during the lease development phase and provided the opportunity for public review and comment through a variety of regulatory mechanisms. |
| [18] | Secondly, I feel that there is already too much boat traffic on the Chestatee River already. We've already seen significant traffic in this area by boats and jet ski drivers who are used to the larger more open areas of the lake. They zip around up here without realizing the negative impact to the shores and docks, etc. There just isn't as wide a span of waters to accommodate large boats in this area as there is on the Southern part of the lake. There are adequate boat launches, community docks, private docks that already contribute to a high volume of boating activities. Traffic from the Southern part of the lake on the Northern part of the lake is extremely heavy now.                                | [18] | Comment noted.   |
| [19] | As a percentage of navigable water space available, there are probably as many boats on the northern part of the lake now as there are on the Southern. There already exists a problem when large ocean size boats and houseboats venture past Brown's Bridge. As the lake narrows and with increased boating traffic, danger of accidents increases significantly.   | [19] | Comment noted.   |
| [20] | Many campgrounds with public access are on the Northern part of the lake that contribute to much of the boating traffic now. The population of people moving up to the Northern part of the lake has probably already doubled in the past five years due to new construction and development of new communities on the lake, which also contributes to an increase in lake usage.   | [20] | Recreational sites along the northern portion of the lake do not currently receive the level of use experienced by sites located on the southern portion of the lake.  |
| [21] | Additionally, the road that the ground traffic would have to use to get to and from this new marina would undoubtedly be War Hill Park Road. This road is a snaked shaped, two lane road that has a maximum speed of 35MPH and as slow as 25MPH. I couldn't even begin to tell you how heavily this road is traveled by boaters in the summertime nor how 'few' I've seen follow the posted speed limits. It's bad enough with bass boats race up this road much less someone toeing a very large boat around those curves at a speed they shouldn't causing them to take over the alternate lane as they round the curves. Many, many, many times myself I have almost been struck and/or run off the road by such drivers. I 'fear' | [21] | Comment noted.   |

- [21 cont.] as larger boats start coming up this hill that there is bound to be more traffic accidents or people and/or animals hit by passing vehicles.
- [22] Additionally, with the boat and jet ski traffic that the War Hill Park draws there is already consistent violations. I believe you can check the complaint records to confirm this. We have call DNR many times each summer ourselves and we have a boat and jet ski... Add a bunch of larger vessels to this congestion and you're going to see more jet ski accidents and you might even see a decline in people wanting to camp at the park due to the noise and risks.
- [23] Why not expand existing marinas in larger waters or build a new marina where there is much more useable space available close to larger bodies of water for easy access and sufficient wakes, etc.
- [24] My gut feel is that a decision has already been made here to have this marina and requesting feedback is just a protocol. If that is the case, then at least consider the coves surrounding the area and build in 'plenty' of sufficient wake zones to protect the existing community, our investment and in our safety.
- [25] I also would like to know what we can do to unite discourage this marina be put in. Is there or will there be some sort of open forum where we the people can unite and plead our case? Or are you asking for comments and then move forward without any other considerations?

Regards,

Louise Ball

- [22] Comment noted.
- [23] The primary reason for considering a marina in this area is to provide much needed services, such as a ship store, fuel, and mechanic repair services, in this area. Expansion of one of the existing marinas within other portions of the lake would not satisfy the marina needs in the Chestatee River area.
- [24] There is a need for marina services on the Chestatee River and the Corps will continue to look for a way to provide a marina operation in this area. Sites considered will be limited to those lands owned by the Corps and possessing adequate land access, topography, water depth, zoning, etc.
- [25] Any new marina proposed for Lake Lanier would have to comply with all applicable Federal, State and local regulatory requirements. Typically, the procedural processes for many regulatory actions provide opportunities for agency and public input into the decision process.

**ROGER J. BAUER, P.C.**

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WILLS, TRUSTS  
ESTATE PLANNING  
PROBATE AND ADMINISTRATION

**Comments and Objections to  
USACOE Draft Environmental Impact Study  
& Lakeshore Management Plan  
For Operation and Maintenance of Lake Sidney Lanier, Georgia  
Dated October 2002**

Several serious problems are observed in the proposed policy and procedure changes, euphemistically designated as "proposed program improvements" for the operation and maintenance of Lake Lanier, found included in the recently published Environmental Impact Statement (EIS) by the US Army Corps of Engineers (USACOE), and currently available for comment by the public.

*I. Expansion of Jurisdiction.*

The first objection is addressed to the apparent expansion of the purview of the Shoreline Use Permitting jurisdiction (especially relating to boat docks) to include unrelated environmental issues and agendas. The boat dock permit is related to recreational usage of the lake shore and provides a mechanism for adjacent property owners and residents to utilize the facility for purely recreational purposes. The current Lakeshore Management Plan of 1988 provides for certain related administrative and regulatory requirements that are all within the purview of promoting the safe and proper maintenance and usage of such boat dock facilities with the accompanying services of such facilities, including water lines, pathways, electrical lines, etc. The entire focus of the current permit process is promoting the safe usage of the lake for recreational purposes by the dock permittee and the broader general public.

However the "proposed program improvements" reflect an expansion of the jurisdiction of this limited objective of safe recreational usage by the boat dock permittee to other broad objectives and agendas that are unrelated or at best superficially related to the recreational purposes of boat dock permits.

Specifically, such jurisdictional expansion includes authority for the USACOE to create additional requirements for applicants of recreational boat dock permits to "plant natural vegetation," "install riprap or other [unspecified] shoreline or bank stabilization measures," or place the burden on permittees to show that "erosion control...is infeasible or otherwise not required because of soil composition, erosion potential or other circumstances." None of these

[26] The SMP does not represent an expansion of permitting authority. Instead it is based on a number of existing Congressional authorities that have been enacted over the years directing the Corps to manage water resource projects. The SMP is not limited to recreational considerations, but rather the shoreline management program is a component of the natural resources management environmental stewardship program. See Sections 1 through 5 of the SMP.

[26]



[26 cont.] requirements or their scopes are defined anywhere in the mammoth document, except with broad generalities. As always with new government measures "the devil is in the details," which remain undisclosed.

*II. Recreation linked to Septic Systems.*

A second objectionable proposal is that lake adjacent property owners will be required to declare if they have residential septic systems located partially on public lands. After disclosure, they will be required to produce proof of inspections and certifications by health departments. In some cases they will be required to remove key components of their systems. This entire septic regulatory expansion appears again to be a purely environmental regulatory matter unrelated to recreation boat dock permits. Yet the proposed sanctions for these seemingly unrelated environmental matters are linked to renewal of recreational boat dock permits and subject such renewals to jeopardy, threatening that permits may become "...ineligible for renewal."

[27] Recreation is not being linked to septic systems. Instead, environmental concerns are addressed by the shoreline management program because failing septic systems have the potential to adversely effect the water quality of Lake Lanier. Control of septic systems is being linked to Shoreline Use permits because it takes advantage of an existing inspection system to address a number of land management issues, including private encroachments on public lands. The U.S. Congress provided the Corps with the responsibility to protect environmental resources at water resources projects managed by the Corps. As stated above in the response to comments 14 and 26, the shoreline management program, as directed by Congress, includes environmental stewardship and protection of the natural resources under the control of the Corps.

[27] What rationale is there for such linkage of recreational usage to purely environmental issues? These issues are related in a practical way to whether local government has provided high level infrastructure for sewage disposal, i.e. county sewage systems, or simply mandated lower level sewage disposal in the form of septic systems to lake residents with problematic future failure rates? Why should the issue of local sewage disposal methods be linked to a recreational use? These issues and the future ramifications of local decisions concerning sewage disposal methods are far outside the normal realm of a federal agency, such as the USACOE, and its issuance of boat dock permits for purely recreational purposes.

While the environmental theories propelling these shoreline modification activities may be admirable, what possible justification is there for linking these environmental related requirements to the issuance of a recreational boat dock permit? Are not these environmental activities more properly under the realm of the Environmental Protection Agency or the state Environmental Protection Division? Why should the US Army Corps of Engineers, a branch of the United States military, be in charge of making determinations relating to environmental issues that are outside their perceived realm of expertise or their normal jurisdiction?

*III. Red-lining multiple lot owners.*

A third egregious imperfection in the "proposed program improvements" is the decision to severely restrict future boat dock permits. The slashing of 16,734 potential dock permits under the current plan to around 2,000 with some heavily populated parts of the lake being restricted to a couple of hundred is unconscionable. Nowhere in the 1000 plus page report has any consideration been given to the economic impact on hundreds of current lake property owners, if this drastic reduction is allowed to go into effect.

[28] The high growth of the area surrounding Lake Lanier has placed tremendous pressure on the environmental sustainability of the lake's resources. A total of over 25,000 docks would result in the degradation of the project's resources.

For example, under the current Lakeshore Management Plan "only one permit [is] issued per adjacent landowner." (§12.5.1) Private individuals that

own more than one otherwise qualifying lot in an adjacent subdivision fronting the lake are denied additional permits under the "adjacent household/family membership" rules (id.). This requirement has artificially prevented private families for many years from obtaining permits for docks on adjacently owned properties. The historical precedent for this was possibly conceived for a generation ago when Lanier was euphemistically seen as primarily a weekend retreat for families. However, the effective result of this requirement over the years has been that developers have always been favored over private family owners of lake properties in obtaining multiple docks. While developers have had no difficulty obtaining multiple docks for multiple lots they are developing, private families who own multiple lots are precluded from ever receiving additional docks for more than one of their lots, until they sell them or otherwise dispose of them outside their perceived "family membership" group.

Now, with a sudden drastic action, a reduction in potential docks and the effective "red-lining" of certain parts of the lake from ever realistically obtaining new docks is being proposed. Those private individuals are being denied ever having full usage of their property rights as recreation users for their extra lots, not to mention vast amounts of wealth effectively confiscated from them by this new rule. In my own neighborhood, there are at least a half dozen families who own multiple lots fronting the lake and, except for this "family membership" rule, would qualify for multiple docks. There must be hundreds of such cases around the lake in existing neighborhoods and subdivisions. Nowhere in the study has any cognizance of these persons been paid or any thought been given to the negative impact on these persons affected by this monumental change in their status. How many potential cases of this circumstance exist? Why cannot grandfathering of such existing situations be made for future permits? If the rules can be changed for future developments who have notice of the changed policy, why should future permits be severely restricted and effectively denied for those who have complied with the previous rules and guidelines to their detriment. There is a real fairness issue here that is being completely ignored in these "proposed program improvements" that represents a retroactive confiscation of property rights.

Of course, no one wants to see all 16,734 possible docks placed on the lake, but does not fairness demand that a few hundred permits be set aside for those existing multiple lot owners who are having the rug pulled out from under them with this new arbitrary and capricious regulation? Since nobody seemed to care enough to study this issue in this gargantuan study, no one apparently knows how many persons are actually affected. But should we not find out and make reasonable provisions to accommodate this sector of the lake community?

Otherwise, are we not inviting these affected persons to take extraordinary measures to circumvent the rules to obtain some of the precious few permits that will remain by surreptitious methods. Such include retitling qualifying lots in the names of surrogates in order to secure permits and protect property interests and values. It is not hard to foresee a "gold rush" of those affected persons being forced to attempt manipulation of the USACOE in

[28 cont.] Prior to the preparation of this EIS, there has never been a study to determine how many private boat docks could be supported on the lake. A study was undertaken for the EIS to determine the carrying capacity of boat docks on the lake. The Corps SMP enforces the implementation of an existing Corps regulation aimed at sustaining the environmental, aesthetic, and recreational qualities of Lake Lanier to the highest possible levels in view of the intense development that is occurring on adjacent private lands. No existing docks are being removed and all landowners (individuals and developers) have been, and will continue to be treated equally with permit requests being evaluated and granted on a first come basis.

[28 cont.]

[28 cont.]

order to be rewarded with the "golden permit." This lottery could become especially fierce in those areas of the lake artificially restricted to a tiny percentage of the few permits available--areas which probably contain the highest concentrations of multiple lot owners. This severe deficiency in the EIS must be addressed before it can be approved as new changes to the Lakeshore Management Plan.

*IV. Non-accountability of the USACOE.*

It is not unfair to mention the fact that the USACOE is outside the normal review of and accountability to affected citizenry through their elected representatives. Decisions promulgated by the USACOE and its mysterious, faceless contractors are made behind closed doors by administrators and bureaucrats insulated and unaccountable to the affected citizenry. Historically the USACOE has been nearly unreachable by elected officials, through normal channels.

[29]

This insulation is reflected in the current proposals seen in the EIS. For example: Who decided planting "natural vegetation" is best for the lake shore area? Who decided "riprap" is the best form of shoreline control? Who decided that 16,734 potential docks should be slashed to 2,022 with around 200 allocated for the entire south end of the lake? I do not remember public hearings or studies justifying any of these decisions. I do not remember voting in elections on referendums for mandates creating these proposals.

Lake Lanier is a man-made lake. It would not exist if it had not been artificially created by humans. How then, can anyone suggest what is "natural vegetation" or better shoreline management such as "riprap" for such an "artificial" lake? Who selected the USACOE to be the agency to make these substantial environmental decisions? What about the EPA or the EPD? What method of review of these and future pronouncements, mandates and decisions do the lake resident community and the general public realistically have?

*V. Summary.*

Finally, this brash proposed expansion of the USACOE jurisdiction beyond the immediate recreational purposes of a boat dock permit into the realm of environmental mandates and agendas, while linking the approval process for boat dock permits as an enforcement weapon is very problematic. This monumental shift should not be approved without full public disclosure, consideration, and discourse.

[30]

The current process of appending these major government jurisdictional expansions into a gargantuan Environmental Impact Study document that takes hours to download from a limited access website is not a fair public review process. Holding a public meeting or two, and merely allowing a couple of weeks of public "comment" at the end, is a classic case of subterfuge. This misguided effort co-opts local government control of public health matters and attempts to create cross jurisdictional control of environmental protection issues.

[29]

There have been significant efforts made to solicit input from the public prior to the preparation of the EIS and the updated SMP in the form of public meetings and individual focus group meetings. The DEIS has also been made available at many public libraries in the area. All procedures mandated by the National Environmental Policy Act (NEPA) have been strictly followed. The public comment period lasted 6 weeks. Copies were also mailed to all individuals that requested a copy.

The public does not vote on policy and regulatory issues that affect the management of federal property.

There is voluminous scientific literature addressing the erosion control capabilities of native vegetation.

The United States Congress provided the Corps with the authority to construct and manager Lake Lanier. EPA reviewed the DEIS and stated that the agency has "no significant objections to the various management/operational changes being proposed." EPA assigned a rating of LO to the proposed changes – their highest acceptance rating.

[30]

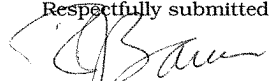
Comment noted. See above responses to related comments.

[30 cont.]

As the President of the defunct Lake Lanier Advisory Council; a Board Member and Officer of the Lake Lanier Association, Inc.; and an individual lakeshore property owner, I must speak out against these grave oversights in this EIS and its components.

This \_\_\_ day of December, 2002.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "R. Bauer".

Roger J. Bauer, Attorney

*Response to Comments*  
Douglas J. Beachem

December 20, 2002

Re: Draft EIS for Lake Sidney Lanier

— Objection to Proposed Program Improvement - Outgrants, Table 2-13

*“Allowing commercial marinas to continue operations with their current number of boat slips and dry storage capacity until expiration of their leases, at which time an equitable reduction in the number of authorized commercial boat slips and dry storage capacity might be imposed if boating safety is at risk because of a high density of boats using the lake at any one time.”*

[31] The only access the general public has to Lake Lanier is through the marinas, parks, and launch ramps. The ten marinas provide this service in partnership with the COE. The COE has always encouraged the commercial marinas to improve their facilities and expand their services for the general public. It would be impossible to secure a loan, attract investors, or sell a marina with a regulation like this. Each marina has a master plan, which was approved by the COE. Some are built out, others have room for expansion. Our business plans are based on these. Why would we continue to develop, improve, or expand our concession areas knowing that the COE could arbitrarily make us reduce our number of boat slips and dry storage capacity and thus reduce our return on investment? What is an equitable reduction? How will we be compensated for this?

[32] If the COE feels it might become necessary in the future to restrict the number of boats due to high density, then this should be done by restricting private boat slips on the lake. These are for the sole benefit of private land owners and do not provide access for the general public. It appears the COE has sided with the home owners and forgotten it's responsibility to the general public.

[33] I also disagree with the conclusions presented in the EIS regarding carrying capacity. I would urge you to update the 1984 study.

[34] My family has been a concessionaire on Lake Lanier since the beginning, first at Holiday and now at Lazy Days. We have enjoyed a good relationship with the COE over the years. This proposed regulation could ruin the value of all the marinas on Lake Lanier. I urge you to reconsider this.

Douglas J. Beachem, CEO  
Lazy Days Marina

[31] All concessionaires have a Master Plan that defines their limits of development and the Corps works with the concessionaires to ensure that their development is consistent with the Master Plan.

The referenced statement of concern has been removed from the EIS.

[32] The SMP addressed in the EIS will limit the number of private boat docks that will be permitted in the future at Lake Lanier.

[33] Comment noted. There are no plans of this time to update the 1984 study.

[34] The Corps values all concessionaires at Lake Lanier and appreciates the positive relationship we share with them.

December 21, 2002

Attention: Lake Lanier Army Corps of Engineers

Comments on Proposed Shoreline Management Plan

There are a few items in the proposed management policy that I would like to comment on and request further consideration of these proposed items.

Page 17: "In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, no vessels may be moored at a private boat dock that exceeds the length of the dock, excluding the access walkway. All vessels permanently moored at private docks must belong to the permittee ..."

[35]

I disagree with the management policy clause restricting the size of the boat on the dock to be smaller than the dock. If there is sufficient space between docks to allow for the presence of a large boat, then I feel it should be acceptable. One option could be to use the existing policy of distance between docks should also apply to the boat in the dock. As such, the owner of the dock would be in violation of the management policy if the boat or the dock are less than 50' from the neighboring dock when the lake is at full pool (1071). This will allow the enforcement of a consistent policy to maintain distance between docks and continue to support safe navigation of the lake.

[36]

We own a houseboat and keep it at our dock. This boat although large, does not create excessive waves, travel at high speeds etc.. In the evaluation of environmental impact, I would expect that the larger power boats would have a larger environmental impact on the lake than a houseboat residing on a private boat dock. What is the environmental impact of large cruisers traveling on the lake as compared with large boats residing on private docks? How was the environmental impact of a large boat at a marina compared to a large boat on a private dock? I would also think that a potential priority for the environment would be to ensure that boats are adequately maintained so that they do not sink causing unnecessary oil or gasoline spills into the lake. These areas should be a higher priority than the size of a boat on the dock.

[37]

As for the aesthetics, a large well maintained and operational vessel has superior aesthetics as compared to many existing boat docks. Given the very subjective nature of aesthetics, how was it determined that a boat has less aesthetic appeal than a dock? The aesthetics of the lake are negatively impacted by boats in docks that are left in the dock on the ground, boats that are not maintained properly and do not even operate etc..

[38]

In the recent years when the lake level has dipped to a fairly low level, we have on occasion moved our boat to a friend's dock. I request that the mooring of a boat at another facility be considered temporary if the sole reason for the move is due to the lower level of the lake.

I appreciate your consideration of these comments and concerns. We enjoy living on the lake and enjoy having a houseboat on our dock. It provides for a safe, convenient location for our children and friends to enjoy the lake!

If you have any questions, please feel free to contact me!

Sincerely,

Ellen Boerger

Home: 770-531-7824 (evenings)

Work: 770-623-7567 (daytime)

## *Response to Comments*

Ellen Boerger

[35] Text in the SMP has been changed to read as follows:

"In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities. Therefore, based on this language it is possible that boats larger than the dock could be moored. Each situation will be considered on a case-by-case basis. The prohibition of mooring boats at a dock of another is intended to eliminate permanent storage and commercial use of the facility. It is possible that a temporary arrangement can be permitted for safety reasons provided open discussion is initiated and maintained with the Lake Lanier Project Office."

[36] It is the personal responsibility of boat owners to maintain their vessels and insure that they do not create a potential hazard or negative environmental impact.

[37] The presence of a large boat at a dock facility does not necessarily improve the aesthetics.

[38] This is a common practice and acceptable if site conditions allow for safe moorage and navigation is not impacted

*Response to Comments*  
Joseph Bosworth

-----Original Message-----  
From: Joseph Bosworth [mailto:jbos88@alltel.net]  
Sent: Friday, December 13, 2002 8:23 AM  
To: Coffee, Glendon L  
Subject: Environmental Statement

I read some of the issues in the Dawsonville paper and wanted to comment on a couple.

1. Mowing permit: Brush is the issue for the vast majority of home owners. By mowing, it keeps the brush down. On my property there is no "lawn" but, the grass growing in the trees seems to hold soil erosion better than brush. Am I mistaken in this? If it is roughly equal to brush for soil erosion what is the harm in allowing the mowing permits?

[39] Currently I mow twice per year. This does not eliminate leaves and other small chopped brush from covering the ground but it does allow the grass to grow in areas that would be devoid of vegetation if brush were allowed to regain control. It does not have a negative effect on the trees.

What is most important to me as a home owner is keeping my view and access to the lake. I would appreciate your crafting a solution for the mowing issue that incorporates a home owner being able to preserve their current lake view and access.

[40] 2. Number of Dock Permits: I Like the idea of requiring community boat docks and the 50 ft buffer between docks. I don't think you should limit the number of boat docks to less than the original plan.

[41] 3. Dredging: I agree with permitting the dredging. Over time it will improve the quality of lake Lanier. I'm sure it will be used primarily on the north end of the lake.

Thank you,

Joseph Bosworth  
506 Chestatee Circle  
Dawsonville, GA 30534  
706-216-1238  
jbos88@alltel.net

[39] There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than species of grass. See Section 19, *Buffer Zones*, of the SMP.

[40] The intense level of development that is occurring on private lands surrounding Lake Lanier is posing significant demands on the project's resources. This is the first time boat dock capacity has been calculated using a methodology that adheres to the Corps' regulatory guidance. Compliance with the results of that analysis will limit the number of future boat docks permitted on the lake. This is important to maintaining the aesthetic, environmental, and recreational characteristics of Lake Lanier's resources that contribute to its appeal to the general public.

[41] Comment noted.

***Response to Comments***  
Bobby and Allison Bradford

-----Original Message-----

From: ahbradford@bellsouth.net [mailto:ahbradford@bellsouth.net]

Sent: Thursday, December 12, 2002 4:04 PM

To: Coffee, Glendon L

Subject: Proposed changes at Lake Lanier

[42] Dear Sirs:  
We are homeowners on Holly Hill Road, which is off of War Hill Park Road. It has come to our attention that you are considering putting a marina at War Hill Park. We feel this is a very bad idea because of the many narrow arteries of the lake in this area, including the main channel.

[43] We had a fatality just a couple of summers ago when a boat came around a corner and hit a skier in the water, severing his leg, causing him to bleed to death. We have also consistently noticed skiers and children in towables being closely followed by a stream of boat traffic. This is a very hazardous condition and is an accident waiting to happen. All it takes is a child falling out or a skier falling and being run over.

[44] We strongly believe that adding a marina in this area will not alleviate boat traffic in the south part of the lake but will instead only attract new boaters, thus increasing the overall boat traffic on the lake.

Please reconsider putting this marina up here. You will most probably be saving lives.

Thank you,

Bobby and Allison Bradford, 103 Holly Hill Road, Dawsonville

[42] The proposed leasee is not interested in leasing the War Hill Park at this time. However, there is still a need for services on the Chestatee River and the Corps will continue to look for a way to provide a marina operation in the area.

[43] Comment noted.

[44] Comment noted.



*Response to Comments*  
Gordon Brand

----- Original Message -----

From: Gordon Brand

To: glendon.i.coffee@sam.usace.army.mil

Sent: Thursday, December 05, 2002 10:16 AM

Subject: Lake Lanier DEIS

The following are my comments about the Draft Environmental Impact Statement for the operation and maintenance of Lake Lanier.

Table ES-1

- [45] Page ES-6.- Shoreline Management- Encourage those with grandfather authorization to mow to cease mowing project lands. Recommend deleting this entire statement. Grass mowing done properly does not cause shoreline erosion. Recommend a statement for those who do mow not to fertilize. Ceasing mowing project lands would have a major negative impact on real estate values of adjacent private lands.

Other comments:

Water Quality.

- [46] Has an environmental impact study been completed on the proposed discharge by Gwinnett County of 40 million gallons of treated waste into Lake Lanier? Do waste treatment plants such as the new Gwinnett County Facility remove medicines, drugs that are part of human waste.

- [47] What impact does steroids, hormones, growth enhancers, medicine, from chicken farms waste that reach Lake Lanier have on water quality.

Lake Safety

- [48] Is there a standard for watercraft speed and noise level for watercraft using the lake. Some of the speedboats create a safety threat by excessive speeds.

In general I agree with the draft plan.

Gordon Brand  
120 Poplar Trail  
Dawsonville, GA 30534  
706 216-4725

- [45] The shoreline management program, as directed by Congress, includes environmental stewardship and protection of the natural resources under the control of the Corps. There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than species of grass. See Section 19, *Buffer Zones*, of the SMP.
- [46] An EIS is not required for a NPDES permit. However, during the permit application process, the applicant is required to demonstrate to the Georgia EPD that water quality standards will be maintained. A recent court decision has blocked, at least temporarily, permission for Gwinnett County to increase its discharge volumes into the lake.
- [47] Wastewater treatment plants do not specifically remove medicines or drugs. Medicines and drugs are organic compounds and will degrade at varying rates just as other wastes. The impact on water quality from steroids, hormones, growth enhancers, and medicine from chicken farm waste were not evaluated. Currently there are no tools available for an analysis, nor are there State water quality standards for these substances.
- [48] State law requires idle speed within 100 feet of all ramps and “no wake” zones are also posted around ramps and marinas. The State is responsible for enforcing speed limits on the lake; however, manpower and funding constraints limit the State’s ability to strictly enforce these limits. Current State regulations also require that boat exhaust discharge underwater, which results in a muffling of sounds. However, the Corps does not have the authority to propose, set or enforce noise standards.

*Response to Comments*

Larry Brooks

-----Original Message-----

From: Larry\_Brooks@dadebehiring.com [mailto:Larry\_Brooks@dadebehiring.com]

Sent: Monday, December 23, 2002 1:39 PM

To: Coffee, Glendon L

Subject: WAR HILL PARK PROPOSAL

[49] I am a resident of that part of the lake. I am opposed to the marina. Although it may be good for the lake users who responsibly use the lake, there are so many more that do not have a clue about safety, and do not care for others property or well-being. If you want to make an honest effort to do the right thing, you should visit that part of the lake during the summer and watch the circus. Can you ensure that the change will not be directly responsible for future DEATH ? I think not... because people are people. It is not your fault, but it is your responsibility to take this into consideration.

The boat owners that currently utilize that area tend to avoid the main lake ( and travel Chesatee / Thompson) to avoid the enforcement officials for their booze and drugs. About one in ten calls to DNR gets an actual response because of the distance to that area from their normal patrol area.

[50] I know the decision has already been made, and someone's pockets will be lined accordingly - but please take steps to increase the availability of enforcement personnel to support the added risk from idiots.

thank you for your time  
Larry Brooks

[49] The proposed leasee is not interested in leasing the War Hill Park at this time. However, there is still a need for services on the Chestatee River and the Corps will continue to look for a way to provide a marina operation in the area.

[50] No decisions have been made to date concerning the proposed marina for the Chestatee River.

*Response to Comments*  
Susan and Hal Brown

December 7, 2002

Glen Coffee  
US Army Engineer District-Mobile  
Attn: CESAM-PD-E  
PO BOX 2288  
Mobile, AL 36628-0001

**Re: COMMENTS: DRAFT ENVIRONMENTAL IMPACT STUDY for LAKE SIDNEY LANIER**

Dear Mr. Coffee:

We have listed below, in no particular order of importance, our comments concerning your EI study for Lake Lanier. As a point of reference we would like for you to know that we have owned property and have lived approximately 25 % of our lives at Lake Lanier for the past 25 years. During that period we have seen and heard a lot.

- [51] 1. Because the Preferred Alternative does not include water flow and lake level control, it is a useless waste of our time, money and efforts. No plan could ever be acceptable without this. Consequently, we vote against it. The current plan or even no plan would be better. If you cannot deal with the real problem, leave it alone.
- [52] 2. The Preferred Alternative is entirely too long, too wordy and too difficult to grasp. To be effective, it must be streamlined and simplified.
- [53] 3. The Preferred Alternative feels like a "Rail Road Job" to us.
- [54] 4. From our personal observation and results, it is clear that you and your plan do not understand erosion and its causes very well. My bank has eroded 4 to 6 feet in the last 25 years. Simply stated, the cause of this erosion is reckless control of the lake level. It was not caused by development and construction, and it was not cause from run-off during heavy rains. When the water is against the bank, the bank retreats unless it is solid rock. Have you ever observed the vanishing or nearly destroyed islands in the lake? An over elevated lake level is the sole culprit of 95 % of the lake erosion! No doubt, some erosion is caused by development and heavy rain, but it is virtually not significant. The lake level should never be higher than 1069 or lower than 1064. The ideal target level is 1067. This optimizes most objectives.
- [55] 5. Second point on your lack of erosion understanding: Grass, i.e., a healthy growth of centipede grass will always outperform (reduce erosion) better than will trees. Our personal results are clear. Before we planted centipede grass, there were usually 3 deep, trench-like gullies washed into the beach in front of our property during the winter when the Corps dropped the lake levels. My centipede grass has eliminated all of those gullies. The only gullies in the general area now come from areas without grass.
- [56] 6. Rain levels have been down 5 to 10% in 2002, but the lake has been down 40 to 60 %!

- [51] 1. As explained in the EIS, the water management strategy for Lake Lanier will be evaluated in a separate NEPA process conducted after the Georgia, Alabama and Florida agree on a water allocation formula for the entire ACF basin. You will be provided an opportunity to participate in that process.
- [52] 2. The magnitude of the O&M activities performed at Lake Lanier require a lengthy discussion.
- [53] 3. Comment noted.
- [54] 4. We agree that fluctuating lake levels contribute to erosion. Lake Lanier was constructed to meet several Congressionally-authorized purposes, which result in fluctuating lake levels. The normal summer pool is 1,071 and the normal winter pool is 1,065; however, seasonal fluctuations, water release demands, and the relatively small drainage basin above the lake combine to make it extremely difficult to consistently manage for these levels.
- [55] 5. There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than grass. See Section 19, *Buffer Zones*, of the SMP.
- [56] 6. Georgia has been in a prolonged drought since 1998. We are not certain how or where the referenced figures were obtained. However, at an elevation of 1055, the lake would only be down 25 percent. With a return to normal rainfall at the time of preparation of the Final EIS, the lake has returned to normal elevations (1071).

- [57] - 7. Do not allow Lan-Mar Marina to expand out into the lake. Their plan is dangerous to me and all other boaters in that area of the lake. This expansion would create another "death trap" worse than the Bald Ridge corridor. Make them remove the new "No-Wake Buoys" recently installed.
- [58] - 8. Construct a large water supply pipe from Lake Lanier to Atlanta to provide the water needs of the city. Then dramatically reduce the flow in the river. Entirely too much water is sent down the Chattahoochee River.
- [59] - 9. Stop the dumping of sewage into the lake. Do not allow more sewage to be dumped into the lake. That is just stupid. If you cannot stop that, find someone who can!
- [60] - 10. Find an independent third party to operate Lake Lanier. The Army has proven that it is not truly set up to handle the lake, nor does it really want to manage the lake.
- [61] - 11. The amount of power produced by Lake Lanier generators is not significant. Stop lowering the lake for the purpose of generating power.
- [62] - 12. Once manufactured, Styrofoam does not pollute water or air. Stop suggesting otherwise. Many gardeners will add it to soil to improve growing conditions.
- [63] - 13. Septic Tanks installed in accordance with building codes do not effect ground water or lake water. Leave our septic tanks alone. If ours has a problem, we will fix it; we do not need "assistance" from the Army.
- [64] - 14. Redistribution of recreational facilities is unwise.

- [57] 7. All concessionaires have a Master Plan that defines their limits of development and the Corps works with the concessionaires to ensure that their development is consistent with the Master Plan. "No wake" buoys are safety measures designed to reduce the speed of boaters in congested areas.
- [58] 8. Water releases from Buford Dam meet multiple needs such as hydropower production, water supply, navigation, downstream recreation, etc. A pipe, while satisfying water supply needs for Atlanta, would not allow all of the other instream needs to be met.
- [59] 9. The GA EPD is the agency responsible for regulating water quality and point source discharges. A recent court decision has blocked, at least temporarily, permission for Gwinnett County to discharge into the lake.
- [60] 10. The Corps of Engineers has been charged by Congress to manage Lake Lanier and its natural resources.
- [61] 11. Generally, hydropower generation is accomplished incidental to releases made to satisfy other downstream requirements (i.e., minimum flows, water quality, etc.). As a result, releases solely for the purpose of hydropower generation are seldom made.
- [62] 12. Styrofoam is not biodegradable, and does in fact pollute the water and the shorelines. Styrofoam scattered along the shoreline and in the water degrades the aesthetics of the natural environment and represents a health hazard to waterfowl resulting from its ingestion.
- [63] 13. A septic system installation per building codes does not preclude system failure. However, not all residents fix their failed systems. The Corps only becomes involved in septic system issues when the system is located on Corp property.
- [64] 14. Comment noted. The EIS has been revised to no longer specify closure of recreational sites as a measure to redistribute recreation activities around the lake.

- [65] | -15. Much of the native vegetation is a "nuisance plant".
- [66] | - 16. Underwater exhausts are a much better method for reducing noise from boats than more vegetation will ever be. Having an exhaust at or above the water line is stupid. Limiting boat speeds to something less than 50 MPH will also help.
- [67] | -17. Eliminate house boats.
- [68] | - 18. Reduce the goose population by 75%.
- [69] | -19. Provide an intelligent thought process which precludes docks from being lowered on to significant rocks.
- [70] | 20. The issuance or the revocation of a dock permit is not related to removal of any vegetation.
- [71] | 21. Having a limit on the number of docks is senseless. Dock limitations should occur by virtue of the natural environment and conditions of the site in consideration. If there is not enough space or a hazard is created, then a new dock should not be allowed. Acceptable conditions should be defined for average water levels and not for full pool.
- [72] | 22. We do not know anyone who plants poison ivy.

12/08/02 5:50 PM

Page 2 of 3

Lanier EIS Comments 12-7-02

- [65] 15. Native vegetation is not considered to be a nuisance at Lake Lanier. Instead, such vegetation is an important component of the natural resources surrounding the lake which enhance the natural beauty of the lake, provide a buffer between the lake and the surrounding development, and provide needed habitat for the wildlife community occurring on project lands.
- [66] 16. Comment noted
- [67] 17. Comment noted
- [68] 18. There has been a general decline in the goose population from approximately 2,000 to 1,500 due in part from hunting and the effects of drought. Goose hunting is currently the only method for thinning goose populations on Lake Lanier. GA DNR believes the goose population at Lake Lanier is below the biological carrying capacity that could be potentially supported by Lake Lanier, and is at or near the capacity tolerated by most lake residents (social carrying capacity). No further management is believed to be necessary at this time.
- [69] 19. It is not possible to respond to this comment because it is unclear to what the comment refers.
- [70] 20. The removal of vegetation constitutes a violation of permit conditions and subjects the permit holder to criminal and administrative penalties. Revocation of a dock permit represents a potential administrative penalty.
- [71] 21. Disagree, managing the proliferation of boat dock on Lake Lanier is critical to protecting the long term integrity of the lakes resources. See the SMP in Appendix D for discussion of the criteria used in setting those limitations.
- [72] 22. Neither the EIS nor the SMP advocates planting poison ivy.

- [73] - 23. What is an USACE?
- [74] - 24. Riprap fails as do sea walls and it looks very strange, unnatural and out-of-place. Seawalls, on the other hand, look like they belong on the water. The Army should provide seawalls in all locations where it has/is destroyed/ing the lake banks with high water levels.
- [75] - 25. Dredge the lake and rebuild the islands.
- [76] - 26. The only realistic way to significantly reduce the "intensity of use" on the lake is to decrease the size and activities of/at the marinas. Campgrounds and private property pale in comparison.
- [77] - 27. Lake security should be substantially increased.
- [78] - 28. Navigation aids should be lighted to reduce nighttime accidents.
- [79] - 29. Deed all lands over to existing property owners where the existing government line is at a higher elevation than originally intended.
- [80] - 30. The Army should clear out all underbrush on the government land around Lake Lanier to help rid the area of rats, snakes and other vermin, which create health hazards. Many Georgia local governments have ordinances prohibiting tall grass, weeds and underbrush for this exact reason.

We hope our comments are helpful and will be useful to shape and change the direction in which you are headed. We know several of them are in direct conflict with your general feelings. These comments are sincere and valid.

Sincerely,



Susan and Hal Brown  
191 Kings Row  
Marietta, GA 30067

- [73] 23. Acronym for U.S. Army Corps of Engineers
- [74] 24. The "natural look" of man-made objects is a subjective observation. Many private landowners cannot afford to build proper seawalls nor to maintain them over time. The Corps has considerable experience with riprap around the lake and has found riprap to be an effective erosion control measure, less costly to install, and easy to maintain. See Section 14.3, *Section 404 and/or Section 10 Permits*, of the SMP
- [75] 25. Guidelines, regulations and policies set limitations on the extent of dredging that is permitted at water resource projects. Rebuilding islands would be cost prohibitive and impractical.
- [76] 26. All users contribute to congestion on the lake. Redistribution of recreational facilities is proposed as one method for decreasing boat traffic.
- [77] 27. In the wake of the events of 9/11, the Corps has been working diligently to improve the security at Buford Dam and Lake Lanier. The Corps has worked closely with local, state and federal law enforcement as well as Emergency Management agencies. Although the Corps is unable to disclose the actions that have been taken, the precautionary measures taken are deemed sufficient to meet the current conditions.
- [78] 28. All navigation aids used by the Corps comply with USCG standards. There is no federal or state requirement to provided lighted navigation markers on inland waters. Lighting is more often found on commercial transportation waterways in coastal regions where the navigation channels are usually very narrow and need to be well defined.
- [79] 29. All project lands at Lake Lanier are determined to be essential for project purposes. Should any lands be declared surplus to project needs, such lands would be made available for purchase by the public, and not necessarily to the adjacent property owners.
- [80] 30. The goal of the Corps is to maintain the property around the lake in its most natural state to protect the ecological integrity of the biological communities inhabiting the area.

*Response to Comments*  
Holly Chitwood

-----Original Message-----

From: Holly Chitwood [mailto:[hollychitwood@alltel.net](mailto:hollychitwood@alltel.net)]

Sent: Thursday, December 12, 2002 9:54 AM

To: Coffee, Glendon L

Subject: Changes proposed in the Environmental Study on Lake Lanier

[81]

Dear Sir, I had heard that there was an environmental study in the works at Lake Lanier. Until recently I did not understand what that meant. I assumed it had something to do with water quality, now I realize it is more about recreational lake use.

[82]

--- It appears that a marina is being considered for the War Hill Park area. I live in that area on the Chestatee River (which is quite NARROW just north of War Hill Park, check your map). We already have an unbelievable number of boats using this channel on summer weekends. It is literally like watching traffic on an interstate at rush hour. I cannot imagine how much busier and DANGEROUS it could be out there if a marina were located in our area. My husband and I have watched numerous boating accidents occur from our backyard. Before you permit a marina in our area I would invite you to my home and dock on any summer weekend afternoon, no kidding, come on over. T

[83]

--.The other conceivable problem with traffic would be on War Hill Park Road. It too is already dangerous to travel due to the number of vehicles pulling boats on EXTREMELY curving sections. If you have not traveled it before you should check it out. It is truly like a mountain road. Narrow and winding.

[84]

While I understand the Corps desire to move some of the boating to the north end of the lake I would urge you to consider that the Chestatee River north of the highway 53 bridge is not wide enough to handle much more boating traffic. A neighborhood marina was put in place at Harbor Point about 3 years ago and that has already had major impact.

Please feel free to contact me, I'm really not kidding about having you or someone from the corps come by on a Saturday afternoon in May or later, you wouldn't believe it.

Thanks for your attention to this matter

Sincerely, Holly Chitwood

111 Woodstone Place

Dawsonville, GA 30534 706 216 4743

dock permit #L00849

[hollychitwood@alltel.net](mailto:hollychitwood@alltel.net)

[81]

The EIS addresses the environmental and socioeconomic impact of the operation and maintenance activities at Lake Lanier.

[82]

The proposed leasee is not interested in leasing the War Hill Park at this time. However, there is still a need for services on the Chestatee River and the Corps will continue to look for a way to provide a marina operation in the area.

[83]

Comment Noted.

[84]

Comment Noted.

Georgia Department of Natural Resources

*Response to Comments*  
Richard Cloues

Lonice C. Barrett, Commissioner

Historic Preservation Division

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer  
156 Trinity Avenue, S.W., Suite 101, Atlanta, Georgia 30303-3600  
Telephone (404) 656-2840 Fax (404) 657-1040 <http://www.gashpo.org>

June 7, 2002

Hugh A. McClellan  
Chief, Environment and Resource Branch  
Department of the Army  
Mobile District, Corps of Engineers  
P.O. Box 2288  
Mobile, Alabama 36628-001

RE: **Environmental Impact Statement (EIS), Operations and Maintenance, Lake Sidney Lanier  
Forsyth, Dawson, Lumpkin, Hall, and Gwinnett Counties, Georgia  
HP010807-001**

Dear Mr. McClellan:

The Historic Preservation Division (HPD) has reviewed the Environmental Impact Statement (EIS) concerning future operations and maintenance at Lake Sidney Lanier, located north of Atlanta, in Forsyth, Dawson, Lumpkin, Hall, and Gwinnett Counties, Georgia. Our comments are offered to assist the Corps of Engineers in complying with the provisions of Section 106 of the National Historic Preservation Act.

[85] Comments noted.


[85]

Thank you for providing HPD with a copy of the EIS for the future operations and maintenance at Lake Sidney Lanier. We know of no additional cultural resources to be considered beyond those eligible sites identified in the archaeological surveys of the lake.

We do recommend that particular emphasis be placed on the effects of low lake levels and recreation use on the known cultural resources, as these two impacts are likely to become increasingly significant in the future.

We look forward to working with you as this project progresses. Please refer to project number HP010807-001 in future correspondence regarding this undertaking. If we may be of further assistance, please contact Serena Bellew, Environmental Review Coordinator, at (404) 651-6624.

Sincerely,



Richard Cloues  
Deputy State Historic Preservation Officer

RC:sfc

cc: Dottie Gibbens, Inland Environment Team  
Maurice Ungaro, Atlanta Regional Commission  
Preservation Planner, Georgia Mountains RDC



*Response to Comments*  
Roy Coleman

-----Original Message-----

From: Roy Coleman [mailto:yornameloc@alltel.net]

Sent: Friday, December 20, 2002 8:39 AM

To: Coffee, Glendon L

Subject: Draft Environmental Proposal

[86]

"vegetation" ES-6, [mowing to the shoreline should be continued as is the case now. If non-point pollution is an issue, then fertilizer application should be prohibited within so many feet of the shoreline. To cease mowing would, in the majority of cases, reduce the value of adjoining private property. This also would drastically affect county budgets. I respectfully request that this issue be removed from this document.] from Roy Coleman, immediate Past President of the Dawson County Homeowners Association.

[86]

Mowing is only restricted on Corps property. The shoreline management program, as directed by Congress, includes environmental stewardship and protection of the natural resources under the control of the Corps. There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than species of grass. See Section 19, *Buffer Zones*, of the SMP.

Melvyn & Beverly Copen  
3870 Adams Road  
Cumming, Georgia 30041

Tel: 770-889-5245 Fax: 770-781-4154 email:melcopen@hotmail.com

*Response to Comments*  
Melvyn and Beverly Copen

December 21, 2002

Mr. Glen Coffee  
US Army Engineer District, Mobile  
Attn: CESAM-PD-E  
P.O. Box 2288  
Mobile, Alabama 35528

Dear Mr. Coffee:

Recently we were shown listing of proposed changes to the Shoreline Management Plan for Lake Lanier in Georgia. As residents of the lake area, we wanted to express some concerns which we know many of our neighbors share.

We live on the lake because of its beauty and utility. We have both esthetic and economic stakes in assuring its preservation. True for virtually all of us who reside on the lake. The Corps of Engineers should find many willing allies in its efforts to these ends. Yet many of the proposed regulations seem to establish standards that could destroy what currently exists, both esthetically and economically.

Specifically, I am referring to regulations that would require:

"a vegetative shoreline buffer"  
"encouraging those with grandfathered authorization to mow to cease mowing"  
"encouraging existing private dock permittees to convert to community docks..."

When we bought our home, many years ago, the land between our property and the lake was a major factor in both the decision and the price, as was the ability to have a dock. We have permits that we abide by, and the land has been maintained in a manner that enhances both our property and the lake. Changing it, for example by revegetating the part that we currently mow, will have serious negative repercussions. We are also concerned by the use of the term "encouraging." This could be misused by some overly zealous official hell bent on redoing the lake according to his or her own set of priorities.

Throughout the suggested changes there are items which would negatively affect the property owners who border the lake. In some cases, requirements may involve considerable cost, beyond the means of some of people in lower income categories and difficult for retirees on fixed incomes. In other cases, measures are not clearly defined, allowing sufficient discretion for both arbitrary and dictatorial administration.

We would hope that these measures are considered carefully before any implementation begins, keeping in mind that most of us whose land borders the lake share the same objectives, to keep the lake healthy. Additional regulations and changes in existing procedures should only be made where **serious** problems exist and then, by specifically

addressing those problems (rather than blanket issues) and what will be done to correct them. Thank you for your attention.

Sincerely,



Melvyn & Beverly Copen

[87] Existing mowing activities will be allowed, but minimization of mowing will be encouraged to help protect the lake's water quality. Adjacent landowners have the greatest impact and opportunity to protect and restore the lake's vegetative buffer. Through the years, grandfathered mowing privileges and permits have resulted in a general degradation of natural habitat along the Lake Lanier shoreline, and has created the appearance of private ownership of public property. Eliminating mowing on government lands will protect the natural resources, enhance wildlife habitat and the aesthetic value of the land surrounding the lake, and promote the use of public property by eliminating the appearance of private ownership.

[88] The decision to replace existing individual docks with a community dock is voluntary and is not required in the updated SMP. For example, out of necessity only neighboring facilities would be able to form associations and acquire community dock facilities. The rezoning of shoreline would only effect those properties that are using the community dock.

November 25, 2002

**Response to Comments**  
Jud Davis

PROPOSED CHANGE TO DRAFT SMP

U. S. Army Corps of Engineers, Chief Ranger Chris Lovelady, VIA Fax 770-945-7428  
Mobile District, Lake Sidney Lanier

A significant problem occurs when property adjacent to USACE managed land changes ownership. The USACE will only grant dock permit approval to the new owner once this owner purchases the property (provided all eligibility requirements are met). There is no guarantee to the new owner that this permit will be issued until AFTER the new owner purchases the property. If this person purchases the property hoping to be issued the dock permit, and is NOT issued the dock permit, this person has now bought property that is not worth what he/she has paid for the property.

Under the current guidelines, the prospective buyer may meet with a Ranger prior to the purchase to determine the eligibility for a new permit. The Ranger tells the prospective owner that he/she will RECOMMEND APPROVAL for a new permit to be issued. This is NOT a guarantee that a permit will be issued. The prospective buyer is basically forced to "roll the dice" and purchase the property, hoping that he/she will obtain the dock permit once he/she purchases the property.

It is very understood that the USACE does not issue dock permits for "speculative" purposes. However, a person paying \$500,000 or even \$50,000 for a lake front lot/home needs (and the Banks will soon require) a guarantee that a new permit will be issued for this property BEFORE CLOSING.

At this time, under the current and proposed SMP, the only way to safeguard a proposed buyer is to have a repurchase agreement in the purchase and sales contract. This forces a seller to repurchase a property should the "recommendation for dock permit approval" verbal commitment from the Ranger, NOT turn into an actual permit. This creates a huge financial and legal matter involving bank loans, property tax payments, real estate commissions, closing costs, legal fees, etc. having to be refunded to a vast group of individuals & companies. There has to be an entirely new closing performed just to revert the property back to the original owner, and replace the money and deeds back to where they belong. This creates a huge burden on both buyers and sellers of lakefront property.

My proposal to the USACE is to have the Ranger meet with the current owner of the property to discuss the possibility of a new permit being issued for a PROSPECTIVE new owner. At this time, the Ranger can have the current owner bring all aspects of his/her property into compliance (No longer will you hear from a new owner that "the previous owner must have done that"). Then, once the current owner has brought his/her dock, etc. into compliance, the Ranger can issue a Letter of Compliance GUARANTEEING that a new owner will in fact be issued a new permit for this property. This works also with vacant land that does not currently have a dock permit. Should a current owner choose NOT to bring his/her facility/uses into compliance, then at least the prospective new owner will be able to see, in writing, what will need to be done in order to obtain the new permit.

\* The prospective buyer and seller would no longer have to risk great hardship should a new permit not be issued for the property.

\*The Ranger could inspect the property PRIOR to the change of ownership.

\*This eliminates any conflict between the USACE and a new owner. It is all in writing on the "Letter of Compliance" issued to the seller/current owner.

Thank you for your time, consideration, and as always, your continued good management of Lake Lanier!

Sincerely, Jud Davis 404-316-3720

[89] Permits are non-transferable. They become null and void upon sale or transfer of the property associated with the permitted facilities or the death of the permittee. New owners must notify the Operations Managers office of their purchase and make application for a new permit Assuming compliance with all Shoreline Management Plan policies and site requirements remain suitable, new property owners can be reasonably assured of being granted a permit.

[89]

*Response to Comments*  
Randy Edwards

**Construction & Property  
Consultants, Inc.**

November 25, 2002

via hand delivery

Mr. Chris Lovelady  
Chief Ranger  
Lake Sidney Lanier  
U.S. Army Corps of Engineers  
P.O. Box 567  
Buford, GA 30515-0567

Re: Shoreline Management Program Comments

Dear Mr. Lovelady:

This letter is to provide comments on the draft copy of the Shoreline Management Program, specifically Section 15.4 Facility Inspection Program.

Our firm, Construction & Property Consultants, Inc. was awarded a contract in 1992 (DACW01-92-D-0026) for Inspections and Reinspections of Lakeshore Use Permits and Related Facilities at Lake Sidney Lanier, Buford, Georgia. During our one year contract from March 1992 to April 1993 we completed over 2,000 inspections. Based on the comments we received, the program was successful and our work was very satisfactory, but the contract was not renewed due to lack of funding.

Our firm is very interested in performing inspections for the Permittees under the revised Shoreline Management Plan; however, our firm does not meet the requirements of the American Society of Home Inspectors (ASHI) or Georgia Association of Home Inspectors (GAHI). In reviewing the qualifications of these organizations, they both require 250 fee paid inspections, among other requirements. Based on this requirement alone, the time required to obtain this qualification could take several years.

We also feel that limiting the facility inspection program to these two organizations may create problems for the U.S. Army Corps of Engineers if there are an insufficient number of certified home inspectors interested in performing this work.

We would propose that Section 15.4 Facility Inspection Program be amended to read as follows:

... At the time of permit renewal, change of ownership or at the discretion of the Operations Manager all Permittees will be required to contract the services of an inspector. The inspector must be a "full member" level inspector of American Society of Home Inspectors (ASHI) or Georgia Association of Home Inspectors (GAHI) **or have evidence of satisfactory completion of at least 250 facility inspections for the U. S. Army Corps of Engineers.**

5275 Triangle Parkway • Suite 250 • Norcross, Georgia 30092 • 770-205-9505 • Fax 770-209-7055

[90] The text has been changed to read as follows:  
"All permitted facilities must be operated, used and maintained by the permittee in a safe, healthful condition at all times. At the time of permit renewal, change of ownership or at the discretion of the Operations Manager all permittees will be required to contract the services of a Corps certified 'candidate,' or higher, level inspector, who has passed all written exams and continues to meet the requirements for either: the American Society of Home Inspectors (ASHI) or Georgia Association of Home Inspectors (GAHI). Inspectors will provide at a minimum, a Corps of Engineers inspection report that details the deficiencies found and the inspector's final inspection and certification that the facilities are in full compliance with the permit conditions. Payment of costs associated with the inspection and certification will be the responsibility of the permit holder."

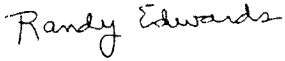
SENT BY: US ARMY CORPS OF ENGINEERS; 7709457428; DEC-16-02 12:14PM; PAGE

[90 cont.]

This change would give the Permittees and the U.S. Army Corps of Engineers the advantage of our experience, which, in our opinion, makes us better qualified than home inspectors to provide these services. This would result in a greater number of qualified inspectors benefiting the Permittees with increased competition resulting in improved service and lower prices, while the U. S. Army Corps of Engineers maintains a strict level of qualifications.

Thank you for your consideration of our comments. We look forward to your response.

Sincerely,



Randy Edwards  
President

Cc: File  
Congressman Nathan Deal

*Response to Comments*

Kevin Farrell

-----Original Message-----

From: Kevin Farrell [mailto:Kevin\_Farrell@dnr.state.ga.us]

Sent: Monday, November 25, 2002 8:59 AM

To: Coffee, Glendon L

Subject: Draft EIS for L.Lanier

[91]

RE: Table 3-7 Pg 3-19

City of Lumpkin listing should be removed (this permit is in Stewart County).

Permit for City of Flowery Branch should be added:

Hall Co. - #069-0003 - M - .367 MGD - .367 MGD

Thanks

[91] Text edited to reflect comment.

*Response to Comments*  
Marjorie and Bill Giambalvo

-----Original Message-----

From: Cybergram9@aol.com [mailto:Cybergram9@aol.com]  
Sent: Monday, December 23, 2002 2:56 PM  
To: Coffee, Glendon L  
Subject: Recreational Sites on Lake Lanier

My husband and I are strongly opposed to War Hill Park Campground being considered for a marina.

First of all, the boat traffic on the northern end of the lake has already increased greatly. Harbour Point marina is just one case in point. Every weekend more and more boaters put in at the War Hill ramps. The campsites are always full as well. In fact, there is so much traffic, that we can no longer enjoy swimming off our own dock for fear of being run down. We cannot even sit on the dock without being rocked violently. Too many boaters have no idea whatsoever about the distance they are to stay away from docks. Having another marina would only make this serious problem even worse.

[92]

Right now the car traffic on Wall Hill Park Road is dangerous to say the least. The road is too narrow and too winding in several areas to handle additional traffic. We have been literally run off the road because of cars trailering boats, not staying in their own lane and not obeying the speed limit especially on the curves.

There was also a time when I enjoyed walking to War Hill Park. The traffic on this narrow road has kept me from doing so.

As members of the War Hill Park community we are against a marina in this area.

Marjorie and Bill Giambalvo  
289 Julian Creek Road  
Dawsonville, GA 30534  
706-216-5482

[92]

The public has indicated the need for services for boaters, such as fuel service, boat storage, restaurants, etc. The potential leasee is not interested in leasing the War Hill Park at this time. However, there is still a need for services on the Chestatee River and the Corps will continue to look for a way to provide a marina operation in the area.

December 18, 2002

Mr. Glenn Coffee  
US Army Engineer District, Mobile  
Attn: CESAM-PD-E  
P.O. Box 2288  
Mobile, Alabama 35528-0001

Dear Mr. Coffee:

This letter is written to make you aware of the points of concern this organization has found in the proposed Shoreline Management Plan (SMP) for Lake Sidney Lanier in Georgia.

After reviewing the proposed Shoreline Management Plan the following are areas of concern which we would like to draw your attention to during this review process:

- ***The new SMP gives the local management office authorization to revoke a private land owner's Shoreline Use Permit (private boat dock permit) for all violations involving the unauthorized removal of vegetation.*** Under this scenario a neighbor could remove vegetation from the adjoining property and the property owner from which the vegetation was removed is penalized. Our concern is under what conditions would this occur? What proof of removal is required and who determines if the property owner is in fault?  
The latitude is too broad and the private property owners are subject to the discretion of the rangers and office manager. Under extreme cases revocation is appropriate. Private property owners purchased lake lots, paid the premium to live on the lake to enjoy the view of the lake, and to access the lake directly via a private boat dock. This premium is reflected in the valuation of the property each year on the county tax bill. Therefore, a case can be made for such a scenario as described above which places a huge burden on the property owner.
- ***We ask that you put strict guidelines and limitations in place to prevent misuse of this proposed change.***
- ***Requiring all open areas where grass mowing is not authorized under the existing Shoreline Use Permits to be revegetated by the permittee or at the Corps discretion.***  
The language is too ambiguous. This language gives the Corps of Engineers too much discretion to force a permittee to spend funds on revegetation that may be out of their ability to fund. There is no specification on what will be required to be used to revegetate the area. Private property owners paid a premium for a lake lot to see the lake. The owner pays higher taxes than property not located on Lake Lanier. The potential is that the Corps could require trees or vegetation that

[93]

[94]

[93]

Once a violation involving the unauthorized removal of vegetation from public lands surrounding Lake Lanier is brought to the Corps' attention, the Corps staff follows standard investigative procedures to determine all relevant facts surrounding the incident. Only after the Corps staff is confident that the perpetrator of the action can be identified with certainty will corrective actions be pursued against the responsible individual. Revocation of a Shoreline Use Permit is only one of the suite of punitive actions that could be taken by the Corps. While corrective actions are initiated at the Corps' Lake Lanier Project Management Office, the Mobile District Chief of Operations is responsible for making the decision to approve revocation of boat dock permits due to violations of the provisions of the SMP. The affected permit holder can appeal a decision to revoke a dock permit to the Mobile District Engineer who serves as the final arbiter in such matters.

[94]

Individuals owning property adjacent to Corps managed lands surrounding the lake should view these public lands with the same degree of respect as they would if those lands were owned by a private entity. Under that scenario, those same individuals would not believe they have the right to trespass onto



neighboring property to remove vegetation and otherwise alter the characteristics of the lands without the specific authorization and permission of the property owner. Similarly, the same individuals would in all likelihood view the reverse situation with disfavor should the same actions be taken on their lands by an adjoining property owner without their express approval. The shoreline management program, as directed by Congress, includes environmental stewardship and protection of Lake Lanier's natural resources under the control of the Corps. Although cognizant of the private lands surrounding the lake, the Corps must act in the interest of the general public. Unless an adjoining property owner has been granted specific authorization by the Corps to mow or remove vegetation from public lands, that individual should not assume he/she has the right to do so, regardless of how long that individual has taken those unauthorized actions in the past without being specifically directed not to do so by the Corps. Once the Corps decides that restoration actions are appropriate to replace illegally removed vegetation, the Corps will work with the landowner to develop a corrective remedy that best matches the nature and severity of the violation. Revocation of a Shoreline Use Permit is only one of the suite of punitive actions that could be taken by the Corps.

[94 cont.]

grows very tall thus diminishing views to the lake and reducing land / business and /or home values of the private property owner.

- We ask that you specify low growing vegetation would be required. Furthermore, if the owner is unable to afford the expense the Corps will not penalize the owner by revocation of Shoreline Use Permit. Today, there are residents whom live on Lake Lanier, but cannot afford additional expenses because they are on a fixed income, have experienced a loss of spouse or other circumstances which effect their monthly income.

- Encouraging existing private dock permittees to convert to community docks followed by rezoning of the shoreline from LDA to Protected Areas.

It is not clear under what conditions this rezoning may take place. We object to this change without clarification of the circumstances by which a rezoning is implemented. The potential is that a cove area where there are 10 docks may be rezoned by the Corps to protected area. As permits come up for renewal the local management office will not renew a permit, thereby forcing private dock owners to move to a community dock. This also allows the local management office the opportunity to deny a permit for a private dock on a resale home that has a private dock permit at the time of sale. The private dock owners would then have a dock without a home and money thrown away. In addition, the value of the property has significantly declined as a result of losing a private dock permit. We understand private dock permits are not transferable; however, the potential for eliminating docks is found in this change to the SMP. Private property owners, businesses and residents, that currently have a dock permit paid a premium on the purchase of their property/lot/home. A loss of dock permit will devalue the original purchase price a significant amount. The private property owner will bear the burden of the loss of value.

[95]

- We request that you give assurances to existing property owners with private docks by grand-fathering in current docks so that private property owners will not be negatively affected if an area is rezoned to "protected area". In other words, the private docks now in place should be grandfathered into the SMP to assure they will not be affected upon permit renewal if an area is rezoned to a protected area. This inclusion will provide the assurance to existing homeowners that, at the time of sale, a permit cannot be denied as a result of a rezoning.

- Providing that Shoreline Use Permits for private or community boat docks are ineligible for renewal (for a period of 1 year) in the event corrective actions are not taken effectively or in a timely manner.

[96]

We request some ability to give variances under specific circumstances. Such circumstances may be the inability to get a contractor to make repairs as required in the time allotted. While it is appropriate to have consequences for those property owners that do not take action at all, it is equally inappropriate to place this burden on a property owner that has made efforts to comply, but failed due to circumstances out of the owner's control.

[95]

The decision to replace existing individual docks with a community dock is voluntary and is not required in the updated SMP. Out of necessity, only neighboring property owners and facilities would be able to form associations and acquire community dock facilities. Rezoning of shoreline would only effect those properties that are using the community dock.

Shoreline Use Permits/Licenses are issued to individual landowners. At the time of sale of a property, all permits are voided. Prior to the purchase of a property, new buyers are encouraged to contact the Corps of Engineers to verify the existence of shoreline use permits. New buyers also need to inquire about the possibility of a new permit being issued once the property has been transferred. Assuming compliance with all SMP policies and site requirements remain suitable, new property owners can be reasonably assured of being granted a permit.

[96]

The Corps will work in good faith with all permit holders in the permit reissue process. This process allows up to a maximum of five months for permit holders to identify and take corrective actions before punitive measures are undertaken. We believe five months provides an adequate time frame within which corrective actions should be completed.

[97]

- On Page 25: *The requirement of a “full member” level inspector of the ASHI or GAHI is another expense for private dock owners and has the potential for disaster.* Some owners cannot afford an inspector. This places a huge burden on property owners to make costly repairs that may not, in fact, be critical to the dock’s function.
- We request that you delete this requirement. Property owners pay taxes which support the budget of the Corps and this should continue to be a responsibility of the Corps. By placing this task on the property owners this change will in effect, double tax property owners on the lake by forcing property owners to pay for this service in addition to the taxes paid to support the Corps budget.

[98]

- On page 32: *Section 19. Buffer Zones, paragraph 3, 3<sup>rd</sup> sentence: It is now required that “limited development” areas serve as an undisturbed, forested buffer.* This requirement is too broad. This should be clarified to specifically what is intended. The potential for harm to homeowners and businesses located on “limited development” areas is that you may require trees to be planted in sparse areas which would block views and thus reduce the value of the investment by the private owner.
- This requirement should be specified to low growing trees. The broad ability to direct private property owners to plant trees on the buffer area is not in the best interest of private property owners, which includes residents and businesses.

[99]

- *Providing that Shoreline Use Permits for private or community boat docks limit the maximum size of boats to the length of the boat dock.* The concern on this proposed change is there are several current boat owners with a private dock that do not meet this requirement. The SMP requires boats to be no longer than a maximum dock size allowable of 32 feet. This means a boat cannot be longer than 28 feet assuming there is a 3 ft. walkway incorporated into a 32 ft. dock. The real concern is that at such time a boat owner has to purchase a dock to replace an old dock the owner will be denied a permit if their boat is longer than the new dock. This requirement will create an incredible nuisance and place an unfair burden on boat owners that, at the present time, have a private dock for their boat.
- There is no provision for grand-fathering and protecting all current boat owners with a private dock. Therefore, we recommend this requirement be deleted.

[100]

Finally, we request that the Corps of Engineers keep in mind the need to protect the investments of the property owners on Lake Sidney Lanier. The majority of the property owners consider themselves custodians of Lake Lanier and take pride in maintaining private property in a proper manner on Lake Lanier. Please avoid placing so much authority in the local management office to the detriment of the

[97]

Due to the volume of permitted facilities the Corps does not have the manpower or the expertise to conduct inspections. The requirement within the updated SMP that Corps certified inspectors be used is intended to ensure that all inspections are completed in a technically competent and objective manner. Costs of inspections are to be paid by the permit holders since they receive all benefits of the permitted facilities.

[98]

It is the responsibility of the Corps to protect the valuable natural resources at Lake Lanier to promote environmental sustainability through a healthy ecosystem for current and future generations to enjoy. These goals and objectives are pointed out in both the SMP and EIS. Maintenance and preservation of the forest buffer at Lake Lanier contributes to these objectives.

[99]

Text in the SMP has been changed to read as follows:  
 “In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner’s ability to safely moor and protect from storm damage must be stored in marina facilities. Therefore, based on this language it is possible that boats larger than the dock could be moored. Each situation will be considered on a case-by-case basis.”

[100]

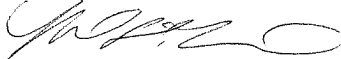
The local USACE project office is responsible for managing the lake and the government lands surrounding the lake. Management oversight is provided by the Mobile District and South Atlantic Division offices. Although cognizant of the surrounding area, the Corps must act in the interest of the general public. Most of the lake users do not live on Lake Lanier.

[100 cont.]

property owners. Restrictions and firm guidelines must be also written and enforced so there is a true balance of relationship between property owners and staff of the Corps of Engineers.

Thank you for considering these comments as you revise the draft of the Shoreline Management Plan under consideration.

Sincerely,



Mark D. Hamilton  
President & CEO

CC: U.S. Senator Zell Miller  
U.S. Senator-Elect Saxby Chambliss  
U.S. Congressman Nathan Deal  
U.S. Congressman John Linder

**Response to Comments**  
Bill Hess

-----Original Message-----

From: Penguinmch@aol.com [mailto:Penguinmch@aol.com]  
Sent: Wednesday, December 04, 2002 5:27 AM  
To: Coffee, Glendon L  
Cc: YORNAMELOC@excite.com; gbrand@floortechinc.com  
Subject: Lake Lanier--DEIS

Here are my comments about the Draft Environmental Impact statement for the operation and maintenance of Lake Lanier.

- [101] Table ES-1  
Page ES-6--Shoreline Management--"Encouraging those with grandfathered authorization to mow to cease mowing project lands," --Recommend deleting this entire statement. Present grass mowing done properly without fertilization should not cause shoreline erosion. This would have a major impact on real estate values of adjacent private land.
- [102] Table 2-2, page 2-5 Present statement "replant Liberty Point". This area is already overgrown with vegetation and does not need replanting. Recommend creating small wildlife openings by mowing in areas where the understory vegetation can still be mowed.
- [103] Table 2-9, page 2-30 Present Statement "War Hill is being considered as a potential site for a marina on the Chestatee River." Add to this statement. The potential marina would be studied in relationship to the impact on the existing War Hill Road.
- Other general comments:
- [104] Although not presently included in the proposal--the plan should address setting sound standards for all watercraft using the lake.
- [105] More rigorous law enforcement is needed to set reasonable speed limits for all watercraft. Presently some of the larger speedboats create a major threat by using excessive speed.

In general, I agree with the plan.

Bill Hess  
236 Indian Cove Drive  
Dawsonville, Ga. 30534  
706-216-1469

- [101] There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than grass. See Section 19, *Buffer Zones*, of the SMP. The non-application of fertilizer would have no bearing on erosion forces.
- [102] The area is to be replanted for forest and wildlife management. Small openings may eventually be created for wildlife management.
- [103] The proposed leasee is not interested in leasing the War Hill Park at this time. However, there is still a need for services on the Chestatee River and the Corps will continue to look for a way to provide a marina operation in the area.
- [104] Current State regulations also require that boat exhaust discharge underwater, which results in a muffling of sounds. However, the Corps does not have the authority to propose, set or enforce noise standards.
- [105] State law requires idle speed within 100 feet of all ramps and "no wake" zones are also posted around ramps and marinas. The State is responsible for enforcing speed limits on the lake; however, manpower and funding constraints limit the State's ability to strictly enforce these limits.



**GWINNETT COUNTY**  
Board of Commissioners  
(770)822-7000

WAYNE HILL, CHAIRMAN  
MARCIA L. NEATON-GRIGGS, District One  
BERT NASUTI, District Two  
JOHN P. DUNN, District Three  
KEVIN KENERLY, District Four

December 6, 2002

Mr. Glen Coffee  
U.S. Army Corps of Engineers  
Mobile District  
P.O. Box 2288  
Mobile, Alabama 36628-0001

Attn: CESAM-PD-E

RE: Draft Environmental Impact Statement for the Operation and Maintenance of Lake Sidney Lanier, Georgia and Corresponding Shoreline Management Plan

Dear Mr. Coffee:

[106] We note on page 3-24, Section 3.3.3.3, Current In-Lake Water Quality, that the Draft EIS is incorrect, because it is based on 1998 data in Appendix F. Lake Lanier has since been removed from the 2002 Clean Water Act Section 303(d) list by the state of Georgia and this removal was approved by the U.S. Environmental Protection Agency in April, 2002.

[107] We note on page 3-28, that Section 3.4.4 recognizes the November 2000 issuance of the Gwinnett County permit to discharge to Lake Lanier. However, the list of NPDES permits in Appendix G does not include a reference to Gwinnett County's permit.

[108] We strongly support the requirement that septic tanks must only be located above elevation 1,085. We also strongly encourage the COE requirement that in the renewal of Shoreline Use Permits the permittee must show proof that the septic tank has been pumped out at 5-year intervals and certified that it is functioning properly.

Sincerely,

F. Wayne Hill, Chairman

C: District Commissioners  
Charlotte Nash  
Tommy Furlow  
Jim Scarbrough

Frank Stephens  
Hazel McMullin  
Tyler Richards  
Lee DeHihns

FWH/h)PU:

75 LANGLEY DRIVE • LAWRENCEVILLE, GEORGIA 30045-6900

*Response to Comments*  
Wayne Hill

- [106] The 2002 303 (d) list was not available at the time the DEIS was initially prepared. The document has been edited to reflect the change in the 303(d) list.
- [107] The permit number for the Gwinnett County discharge to Lake Lanier is GA0038130. It has been added to the table in Appendix G. A recent court decision has blocked, at least temporarily, permission for Gwinnett County to discharge into the lake.
- [108] Comment noted.



**United States Department of the Interior**

OFFICE OF THE SECRETARY  
OFFICE OF ENVIRONMENTAL POLICY AND COMPLIANCE  
Richard B. Russell Federal Building  
75 Spring Street, S.W.  
Atlanta, Georgia 30303

ER 02/1023

December 20, 2002

*Response to Comments*  
Gregory Hogue

Mr. Glen Coffee  
US Army Corps of Engineers  
ATTN: CESAM-PD-E  
109 St. Joseph Street  
Mobile, AL 36602

RE: Draft Environmental Impact Statement for the Operation and Maintenance of Lake Sidney Lanier, Georgia

Dear Mr. Coffee:

[109] The Department of the Interior has reviewed the referenced document. We have no comments to provide for your consideration at this time. I can be reached 404-331-4524 if you should have any questions.

[109] Comment noted.

Sincerely,

Gregory Hogue  
Regional Environmental Officer

cc:  
OEPC, WASO  
EWS, R4

*Response to Comments*

Toni Hurst

-----Original Message-----

From: Toni Hurst [mailto:[lanetoni@alltel.net](mailto:lanetoni@alltel.net)]

Sent: Wednesday, December 18, 2002 3:10 PM

To: Glendon.L.Coffee@sam.usace.army.mil.

Subject: Lake Lanier

Re: proposed marina at War Hill Park

Please consider:

1. There is a two lane road four miles long down a peninsula to get to the park area.
2. The water department figures about 2500 single family units are on the short side roads that feed into War Hill Park Road. About 80% of them are permanent residents.
3. School busses from two counties deliver children on this road.
4. There is a 350 slip private marina across the Chestatee River from War Hill Park. It is visible by looking across the river.
5. Athens Boat Club, which is maybe two minutes by pontoon boat from War Hill Park, Has Gasoline and many slips. It is also on the Chestatee.

Concerns are:

1. Road traffic
2. Safety
3. Water traffic
4. Water safety
5. Pollution - Water, land, air, and noise

Thank you for considering these factors.

Toni A. Hurst

[110]

[110] The proposed leasee is not interested in leasing the War Hill Park at this time. However, there is still a need for services on the Chestatee River and the Corps will continue to look for a way to provide a marina operation in the area.



**Georgia Department of Natural Resources**

205 Butler Street, S.E., Suite 1058 East Tower, Atlanta, Georgia 30334-9000  
Nolton G. Johnson, Branch Chief  
(404) 651-5188

*Response to Comments*

Nolton G. Johnson

November 22, 2002

Mr. Glen Coffee  
US Army Corps of Engineers, Mobile District  
ATTN: CESAM-PD-E  
109 St. Joseph St.  
Mobile, AL 36602

RE: Draft EIS for Lake Lanier O&M

Dear Mr. Coffee:

The following are some preliminary comments by the Georgia Environmental Protection Division for your consideration at the November 25, 2002 public meeting in Gainesville regarding the referenced draft document. We may have additional comments to offer prior to the December 23, 2002 comment period deadline. Our preliminary comments have also been e-mailed to you.

- |       |    |   |       |   |
|-------|----|---|-------|---|
| [111] | 1) | Page ES-1, need to include water supply as a purpose of Lake Lanier for the Executive Summary.  | [111] | Text edited to reflect comment.   |
| [112] | 2) | Page ES-1, not clear if COE management practices included in the current use levels that stress environmental resources, degrade water quality, cause erosion and siltation, and diminish aesthetic qualities.  | [112] | Text edited as follows: "Current levels of public use stress environmental resources, degrade water quality, cause erosion and siltation, and diminish aesthetic qualities."  |
| [113] | 3) | Page ES-3, need to clarify the statement that during drought periods, the lake may be as low as 1035 feet msl. There have been significant periods of drought since construction of the lake, including 1981, 1986, 1988, and more recently the 1998 through 2002 period drought. The lowest level reached was 1057 feet, which is significantly higher than 1035 feet.                             | [113] | The elevations during the droughts have been noted. The 1035 level is the modeled elevation from the ACF EIS. The basis for the use of this elevation is explained in the text.   |
| [114] | 4) | Page 2-9. Line 25. and Appendix I. Georgia adopted water quality standards for Lake Lanier and implemented sampling to assess compliance in 2000. The sampling program includes work done at a number of lake and tributary stations. Sampling locations and data are available from Mork Winn of EPD.  | [114] | The Corps believes the water quality analysis conducted for the EIS is appropriate for its intended purpose to obtain an understanding of the water quality conditions in the lake and surrounding watershed. The Corps does believe additional water quality analyses are necessary for the EIS. |
| [115] | 5) | Page 2-46. Lake Lanier levels fluctuate more due to COE operation and management practices than water use demands. Release for hydropower and navigation windows will create bigger impacts on the lake levels than releases for water supply. The high lake, medium lake, and low lake level descriptions ignore the significant impact on lake levels from COE releases for these other purposes. | [115] | Lake Lanier must operate according to its Congressionally-authorized purposes, which include hydropower generation and navigation.  |

[116]	6)	Page 3-17. Line 10. The text indicates that the water use designation for the Chattahoochee River Watershed is recreation. This statement is not entirely correct as the water use designation for the watershed varies depending upon the location within the watershed. Please refer to the Georgia Rules and Regulations for Water Quality Control for a list of water use designations in the Chattahoochee River Basin. The rules and regulations are available in hard copy from Mork Winn of EPD and are also available on the EPD website at <a href="http://www.dnr.state.ga.us/dnr/environ">www.dnr.state.ga.us/dnr/environ</a> .	[116]	Text edited to reflect comment.
[117]	7)	Page 3-17. Lines 12-14. Appendix F. The information on the Georgia 303(d) list based on the USEPA, 2001 reference is outdated. A review of the material in Appendix F indicates that the information appears to be based on the 1998 list. The Georgia 303(d) list was updated and approved by the USEPA in 2000 and 2002. The material in the EIS should be updated based on the Georgia 2002 303(d) list which was approved by the USEPA in April, 2002. The list is available in hard copy from Mork Winn of EPD and is also available on the EPD website.	[117]	Text edited to reflect changes of the 303(d) list.
[118]	8)	Page 3-18. Line 3. Same comment as above (Comment 6) with respect to the Chestatee River Watershed.	[118]	Text edited to reflect comment.
[119]	9)	Page 3-18. Lines 5-6. Appendix G. Same comment as above (Comment 7) with respect to the Chestatee River Watershed.	[119]	Text edited to reflect changes of the 303(d) list.
[120]	10)	Page 3-19. Table 3-7. The permit holder in Lumpkin County is the City of Dahlonega in lieu of City of Lumpkin. Also the monthly and average annual withdrawal limit by permit is 0.7 MGD and 0.672 MGD, respectively. There are other missing EPD permitted M&I groundwater permit holders and you should contact Bill Frechette of GA EPD to update this table.	[120]	Text edited to reflect comment.
[121]	11)	Page 3-24. Line 10-12. The text states that "waters of the lake have been listed as impaired under the Clean Water Act Section 303(d) listing program for mercury in fish tissue and pH (alkalinity)". Lake Lanier is no longer listed on the Georgia 303(d) list. As noted above, the information upon which the draft EIS is based is outdated. The material in the EIS should be updated based on the current Georgia 303(d) list.	[121]	Text edited to reflect changes of the 303(d) list.
[122]	12)	Appendix F. Page F-1. As noted above (Comment 6), the information on water quality standards is incomplete and should be updated in accordance with the Georgia Rules and Regulations for Water Quality Control.	[122]	Text edited to reflect changes of the water quality standards.

[123]

13) Appendix F. Table F-2. As noted above (Comment 7) the information presented with respect to the 303(d) list should be updated with current information from the Georgia 2002 303(d) list.

[124]

14) Page 4-2. Appendix H. Will the Section 4 and Appendix H materials suffice for compliance with the 40 CFR 1508.7 requirements for cumulative effects analysis? Have all required environmental and socioeconomic parameters been addressed by the Appendix H model? Have the effects been adequately demonstrated in relation to past, present, and future actions? Were the social and temporal boundaries adequately described? Were all impact causing factors and critical pathways in relation to the selected indicators explained thoroughly? Have the ecosystem components, which are cumulatively impacted, adequately identified?

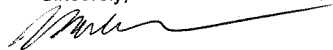
[125]

15) Page 4-49. Appendix H. In addition to the few water quality parameters addressed by Appendix H, will there be a need to look at cumulative effects of the following for this Draft EIS for the O&M plan for Lake Lanier?

- changes in sediment erosion and transport and filling rates
- alteration of discharge and retention rates of water
- changes in velocity of water moving through the system
- impacts on wetlands
- impacts to aquatic fish and plant species

If you have any questions, please contact me at (404) 651-5168 or Alan Hallum at (404) 675-1750.

Sincerely,



Nolton G. Johnson, P.E., Chief  
Water Resources Branch

NGJ:bb

Cc: Alan Hallum, Water Protection Branch  
Gary Mauldin, South Atlantic Division

[123] Text edited to reflect changes of the 303(d) list.

[124] Yes. The model used for predicting instream water quality impacts included existing land uses and the three lake levels to quantify existing conditions. Land use was changed to represent future development and the model was again used to identify the impact from the growth/development within the watersheds. The permitted wastewater discharges were included as well. Model runs included the various permitted flows and loads to determine their impacts.

[125] The Corps believes the water quality analysis for the EIS is appropriate for its intended purpose to obtain an understanding of the water quality conditions in the lake and surrounding watershed. The Corps does not intend to conduct additional water quality analyses.

Georgia Department of Natural Resources

*Response to Comments*  
Denise P. Messick

Lonice C. Barrett, Commissioner

Historic Preservation Division

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer  
156 Trinity Avenue, S.W., Suite 101, Atlanta, Georgia 30303-3600  
Telephone (404) 656-2840 Fax (404) 657-1040 <http://www.gashpo.org>

December 12, 2002

Mr. Glenn Coffee  
U. S. Army Corps of Engineers  
ATTN: CESAM-PD-E  
109 St. Joseph Street  
Mobile, Alabama 36602

RE: **Draft Environmental Impact Statement for the Operation and Maintenance of Lake Sidney Lanier, Georgia Forsyth, Dawson, Lumpkin, Hall, and Gwinnett Counties, Georgia HP-010807-001**

Dear Mr. Coffee:

[126]

Thank you for providing a copy of the *Draft Environmental Impact Statement for the Operation and Maintenance of Lake Sidney Lanier, Georgia*. The Historic Preservation Division previously provided its comments under Section 106 of the National Historic Preservation Act by letter dated June 7, 2002 (copy enclosed). We have no further comments at this time. If you have any questions, please feel free to call me at (404) 651-6777.

[126] Comment noted.

Sincerely,



Denise P. Messick  
Environmental Review Historian

Enclosure: Letter dated June 7, 2002 to Hugh McClellan from Richard Cloues

cc: Sam Pett, Tetra Tech, Inc.  
Maurice Ungaro, Atlanta Regional Commission  
Preservation Planner, Georgia Mountains RDC



**HALL COUNTY PARKS & LEISURE SERVICES**

1086 Rainey Street, Gainesville, GA 30501  
Phone 770-535-8280 Fax 770-531-3985

*Response to Comments*

Deborah L. Mockus

Deborah L. Mockus, CPRP  
Director

PARKS & LEISURE SERVICES BOARD  
Larry Poole, Chairman  
Lynda Skarda  
Tammy Green  
Eugene Welchel  
Harold Nichols

12/18/2002

Mr. Glen Coffee  
US Army Corps of Engineers  
Attn: CESAM-PD-E  
109 St. Joseph St.  
Mobile, Alabama 36602

*RE: Draft Environmental Impact Statement for the Operation and Maintenance of Lake Sidney Lanier, Georgia*

Dear Mr. Coffee:

Staff has reviewed the Draft Environmental Impact Statement for the Operation and Maintenance of Lake Sidney Lanier (EIS).

[127] Comment noted.

[127]

Pertinent to our department operations is the *Operation and Maintenance Category*. This section has been reviewed closely and we concur with the *Proposed Program Improvements* relative to *Shoreline Management-Vegetation and Recreation*, some of which is currently being done. It is felt the improvements will have a positive environmental impact on water quality and erosion control.

Please notify us should additional information be needed.

Sincerely yours,

Deborah L. Mockus, CPRP  
Parks & Leisure Services Director

XC: Jim Shuler, County Administrator  
Robert Rivers, Public Works and Utilities Director



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION 4  
 ATLANTA FEDERAL CENTER  
 61 FORSYTH STREET  
 ATLANTA, GEORGIA 30303-8960

DEC 2 0 2002

*Response to Comments*  
 Heinz J. Mueller

Mobile District, Corps of Engineers  
 P.O. Box 2288  
 Mobile, AL 36628-0001  
 ATTN: Mr. Glenn Coffee

Subject: **Draft Environmental Impact Statement (DEIS) for the Program Improvements to Operation and Management Activities at Lake Sidney Lanier, Georgia, CEQ #020445 ERP # COE-E39060- GA (October, 2002)**

Dear Sir:

[128] Comment noted.

[128]

Pursuant to Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act (NEPA), EPA ( Region 4) has reviewed the subject document, an evaluation of environmental and socioeconomic consequences of proposed modifications to the existing operation/maintenance procedures which manage the recreation and natural resources at Lake Lanier (LL). These changes are being made to improve the on-going program goals (flood control, hydropower generation, navigation, etc.) as well as manage the various resource categories at an enhanced level and in a more sustainable basis. This analysis focuses on those conditions which will be changed as a result of the various modifications to current practices. While the alternatives under examination are limited to the preferred and no-action options, the former is sufficiently comprehensive to capture the major activities taking place on the government owned property at LL. It should be noted that water allocation decisions and/or the effects on LL that would be manifested by different water allotments are not discussed in this document. However, they will be examined in future NEPA evaluations when a final decision is made in this regard.

[129] Comment noted.

[129]

Lake Lanier is one of the Corps of Engineers' most popular water resources projects. As a result, there is a compelling need to balance serving present needs with protecting/preserving the significant attributes of this valuable amenity. For example, one of the proposed program improvements in the Preferred Alternative (PA) would be to lessen the total number of additional private docks which can be built around the Lake. Moreover, this change includes reducing the number of additional docks based on excess structures currently located in over-developed areas. Elimination of septic tanks immediately adjacent to the Lake and more stringent regulations on those that remain on public land at higher elevations are also important components of the PA..

[130]

Mowing the vegetation around the margins of LL together with re-vegetating (native plant materials) areas presently experiencing critical erosion are very positive modifications to the current policy. Riprap is also proposed in lieu of bulkhead type structures to reduce erosion. While the former is preferable to the latter, EPA is on record as favoring the use of bio-engineered means to lessen erosion wherever possible.

[131]

The impacts of stormwater (both quality- and quantity-wise) continue to be major unresolved problems in the watershed. EPA is committed to assisting the Mobile District in addressing this issue in overview; however, the bulk of the regulatory tools necessary to obtain specific solutions has been delegated to the State of Georgia. Regarding the

[132]


Section 404 permitting process, EPA's Wetlands Regulatory Section remains an asset to support the Corps of Engineers via its independent review and comment of proposed Regional Permits relevant to LL. While there are a number of proposed changes to the current dredging program, we suggest that sediment removal within the Lake continue to follow the protocols noted in the Inland Testing Manual.

[133]

From a water quality perspective these modifications to existing procedures are very positive changes which EPA can strongly support. Unfortunately, there are some important environmental impacts being experienced at LL which are not addressed by this document. For example, while the Noise Control Act of 1972 requires the federal government to set/enforce uniform noise control standards for various equipment and activities, control of community noise (boat/personal watercraft) is left to state and local agencies. This issue will continue to be a matter of discussion among all the involved parties using LL. This notwithstanding, the majority of the proposed changes are very positive and should meet the proposal's major purpose and need objectives. Therefore, on the basis of our review a rating of LO was assigned. That is, we have no significant objections to the various management/operational changes being proposed.

Thank you for the opportunity to comment. If we can be of further assistance, Dr. Gerald Miller (404-562-9626) will serve as initial point of contact.

Sincerely,



Heinz J. Mueller, Chief  
Office of Environmental Assessment

[130] Bioengineering remains an acceptable alternative for appropriate locations on the lake.

[131] Comment noted.

[132] Comment noted and suggestion will be appropriately considered.

[133] Current State regulations require that boat exhaust discharge underwater, which results in a muffling of sounds. However, the Corps does not have the authority to propose, set or enforce noise standards.



655 Atlanta Rd. Suite 610, Cumming, GA. 30040, 770-887-1960

*Response to Comments*  
Jack S. Murphy

December 19, 2002

Mr. Glenn Coffee  
US Army Engineer District, Mobile  
Attn: CEDSM-PD-E  
P.O. Box 2288  
Mobile, Alabama 35528-0001

Dear Mr. Coffee:

- This letter is being written to express my concerns as a homeowner and as a Georgia State Representative regarding the Shoreline Management Plan (SMP) for Lake Sidney Lanier.

I represent almost all of the western side of Lake Lanier in Forsyth and Dawson Counties. I have reviewed the proposed changes in the (SMP) and it's apparent that the changes I have outlined will place an undue burden on the current homeowner, taxpayer and future homeowners of property on the lake.

Many of the homeowners are retired, some have lost their spouses and these properties are their biggest asset. They are in most cases living on fixed incomes and simply cannot afford the changes that the Corp. is proposing.

I ask that you please review my comments carefully, your decision will affect thousands of taxpayers, homeowners, and property value.

[134]

- *Providing that Shoreline Use Permits for private or community boat docks are ineligible for renewal (for a period of 1 year) in the event corrective actions are not taken effectively or in a timely manner.*
- **I request some ability to give variances under specific circumstances. Such circumstances may be the inability to get a contractor to make repairs as required in the time allotted. While it is appropriate to have consequences for those property owners that do not take action at all, it is equally inappropriate to place this burden on a property owner that has made efforts to comply, but failed due to circumstances out of the owner's control. What kind of warning will be issued?**

- [134] The Corps will work in good faith with all permit holders in the permit reissue process. This process allows up to a maximum of five months for permit holders to identify and take corrective actions before punitive measures are undertaken. We believe five months provides an adequate time frame within which corrective actions should be completed.



- **On Page 25: The requirement of a "full member" level inspector of the ASHI or GAHI is another expense for private dock owners and has the potential for disaster.** Some owners cannot afford an inspector. This places a huge burden on property owners to make costly repairs that may not, in fact, be critical to the dock's function.
- **I request that you delete this requirement in its entirety. Property owners pay taxes which support the budget of the Corps and this should continue to be a responsibility of the Corps. By placing this task on the property owners this change will in effect, double tax property owners on the lake by forcing property owners to pay for this service in addition to the taxes paid to support the Corps budget.**

- **On page 32: Section 19. Buffer Zones, paragraph 3, 3<sup>rd</sup> sentence: It is now required that "limited development" areas serve as an undisturbed, forested buffer.**
- This requirement is too broad. This should be clarified to specifically what is intended. The potential for harm to homeowners and businesses located on "limited development" areas is that you may require trees to be planted in sparse areas which would block views and thus reduce the value of the investment by the private owner.
- **This requirement should be specified to low growing trees. The broad ability to direct private property owners to plant trees on the buffer area is not in the best interest of private property owners, which includes residents and businesses. This would also place a burden on the homeowner and taxpayer**

- *Providing that Shoreline Use Permits for private or community boat docks limit the maximum size of boats to the length of the boat dock.*
- **I see no reasoning for this requirement, the current (SMP) calls for boat docks to be no more than 32 feet in length, with a 3 foot platform that would make the dock 28 feet. There are hundreds of boats on the lake that would not meet that requirement. A homeowner that builds a house worth \$700,000 to \$800,000 has a boat that is 34 feet long would not be able to put their boat in their own dock. Is the Corp going to authorize the docks to be more than 32 feet in length? I propose this provision be deleted in its entirety.**

- **The new SMP gives the local management office authorization to revoke a private land owner's Shoreline Use Permit (private boat dock permit) for all violations involving the unauthorized removal of vegetation.** Under this scenario a neighbor could remove vegetation from the adjoining property and the property owner from which the vegetation was removed is penalized. Our concern is under what conditions would this occur? What proof of removal is required and who determines if the property owner is in fault? The latitude is too broad and the private property owners are subject to the discretion of the rangers and office manager. Under extreme cases revocation is

[135] Due to the volume of permitted facilities the Corps does not have the manpower or the expertise to conduct inspections. The requirement within the updated SMP that Corps certified inspectors be used is intended to ensure that all inspections are completed in a technically competent and objective manner. Costs of inspections are to be paid by the permit holders since they receive all benefits of the permitted facilities.

[136] The Corps is not proposing that landowners plant trees on their property, but rather plant trees on Corps property where they have previously been removed by adjacent landowners. The goal is to provide a vegetated protective buffer around the lake. One must remember that the majority of lake users do not own homes on the lake.

[137] The SMP has been modified to read as follows:  
 "In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities. Therefore, based on this language it is possible that boats larger than the dock could be moored. Each situation will be considered on a case-by-case basis. The decision to replace existing individual docks with a community dock is voluntary and is not required in the updated SMP. For example, out of necessity only neighboring facilities would be able to form associations and acquire community dock facilities. The rezoning of shoreline would only effect those properties that are using the community dock."

[138] Same response as to Comment No. 93 above.

[138 cont.]

appropriate. Private property owners purchased lake lots, paid the premium to live on the lake to enjoy the view of the lake, and to access the lake directly via a private boat dock. This premium is reflected in the valuation of the property each year on the county tax bill. Therefore, a case can be made for such a scenario as described above which places a huge burden on the property owner.

**I ask that you put strict guidelines and limitations in place to prevent misuse of this proposed change. These guidelines should include some provision for warnings.**

*Requiring all open areas where grass mowing is not authorized under the existing Shoreline Use Permits to be revegetated by the permittee or at the Corps discretion.*

[139]

The language is too ambiguous. This language gives the Corps of Engineers too much discretion to force a permittee to spend funds on revegetation that may be out of their ability to fund. There is no specification on what will be required to be used to revegetate the area. Private property owners paid a premium for a lake lot to see the lake. The owner pays higher taxes than property not located on Lake Lanier. The potential is that the Corps could require trees or vegetation that grows very tall thus diminishing views to the lake and reducing land / business and /or home values of the private property owner.

**We ask that you specify low growing vegetation would be required. Furthermore, if the owner is unable to afford the expense the Corps will not penalize the owner by revocation of Shoreline Use Permit. Today, there are residents whom live on Lake Lanier, but cannot afford additional expenses because they are on a fixed income, have experienced a loss of spouse or other circumstances which effect their monthly income. I would ask that if they cannot be amended, that it be str**

*Encouraging existing private dock permittees to convert to community docks followed by rezoning of the shoreline from LDA to Protected Areas.*

[140]

It is not clear under what conditions this rezoning may take place. We object to this change without clarification of the circumstances by which a rezoning is implemented. The potential is that a cove area where there are 10 docks may be rezoned by the Corps to protected area. As permits come up for renewal the local management office will not renew a permit, thereby forcing private dock owners to move to a community dock. This also allows the local management office the opportunity to deny a permit for a private dock on a resale home that has a private dock permit at the time of sale. The private dock owners would then have a dock without a home and money thrown away. In addition, the value of the property has significantly declined as a result of losing a private dock permit. We understand private dock permits are not transferable; however, the potential for eliminating docks is found in this change to the SMP. Private property owners, businesses and residents, that currently have a dock permit paid a premium on the purchase of their

[139]

The shoreline management program, as directed by Congress, includes environmental stewardship and protection of the natural resources under the control of the Corps. There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than species of grass. See Section 19, *Buffer Zones*, of the SMP. The local USACE project office is responsible for managing the lake and the government lands surrounding the lake. Management oversight is provided by the Mobile District and South Atlantic Division offices. Although cognizant of the surrounding area, the Corps must act in the interest of the general public. Most of the lake users do not live on Lake Lanier.

[140]

The decision to replace existing individual docks with a community dock is voluntary and is not required in the updated SMP. Out of necessity, only neighboring property owners and facilities would be able to form associations and construct community dock facilities. Rezoning of shoreline would only effect those properties that are using the community dock.

Regarding the concern over the influence of a boat dock on property values, Shoreline Use Permits/Licenses are issued to individual landowners. At the time of sale of a property, all permits are voided. Prior to the purchase of a property, new buyers are encouraged to contact the Corps of Engineers to verify the existence of shoreline use permits. New buyers also need to inquire about the possibility of a new permit being issued once the property has been transferred. Assuming compliance with all SMP policies and site requirements remain suitable, new property owners can be reasonably assured of being granted a permit.

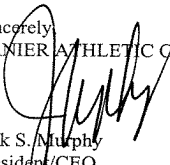
[140 cont.]

property/lot/home. A loss of dock permit will devalue the original purchase price a significant amount. The private property owner will bear the burden of the loss of value.

**I request that you give assurances to existing property owners with private docks by grand-fathering in current docks so that private property owners will not be negatively affected if an area is rezoned to "protected area". In other words, the private docks now in place should be grandfathered into the SMP to assure they will not be affected upon permit renewal if an area is rezoned to a protected area. This inclusion will provide the assurance to existing homeowners that, at the time of sale to a new owner, a permit cannot be denied as a result of a rezoning.**

Thank you for considering these comments as you revise the draft of the Shoreline Management Plan under consideration.

Sincerely,  
LANIER ATHLETIC CENTER, INC.



Jack S. Murphy  
President/CEO

JSM/slp

Cc: Congressman John Linder  
Congressman Nathan Deal  
Senator Zell Miller  
Senator-Elect Saxby Chambliss



Department of  
**PUBLIC WORKS AND UTILITIES**  
**HALL COUNTY, GEORGIA**

**ROB RIVERS**  
 Director

Post Office Drawer 1435 • Gainesville, Georgia 30503  
 Phone: 770/531-6800 • Fax: 770/531-3945

*Response to Comments*  
 Robert B. Rivers

December 16, 2002

Mr. Glen Coffee  
 US Army Corps of Engineers  
 Attn: CESAM-PD-E  
 109 St. Joseph St.  
 Mobile, Alabama 36602

RE: *Draft Environmental Impact Statement for the Operation and Maintenance of Lake Sidney Lanier, Georgia*

Dear Mr. Coffee:

Subsequent to reviewing the *Draft Environmental Impact Statement for the Operation and Maintenance of Lake Sidney Lanier* (EIS), we have the following comments:

[141]

- EIS recommendation allows for minor underbrushing within 20 feet on either side of a 6-foot wide path. **It does not get specific** about what size plants may be removed.

*Watershed Ordinance allows clearing of up to 1" diameter plants. Invasive species (kudzu) of any diameter may be cleared. Also, watershed ordinance allows for a 4-foot wide path (vs. 6).*

[141] The authorization to underbrush is limited to the removal of vegetation with a diameter of two inches (2") or less and pruning of tree limbs not to exceed head height.

[142]

- The EIS recommends more rigorous enforcement of mowing or clearing where unauthorized, and requiring revegetation in areas that have been mowed.

*This will closely reflect intention of ordinance.*

[142] Comment noted however, it is unclear as to what watershed ordinance this comment is referring.

[143]

- The EIS overall calls for improving shoreline through vegetation with native species and protecting against erosion through plantings or rip-rap.

*These activities are not in conflict with the ordinance, and should have a positive impact on water quality.*

[143] Comment noted.

[144]

- The EIS has recommendations concerning limiting future docks, requiring community docks where feasible, and encouraging private dock owners to convert to community docks.

*These activities are not in conflict with ordinance, and should have a positive impact on water quality.*

[144] Comment noted.

[145] | The EIS proposes requiring any adjacent property owner seeking to renew a Shoreline Permit for a private boat dock to indicate whether his or her residence uses a septic system that is located on public property above elevation 1085. If so, the owner must provide proof that system has been pumped in last 5 years and is functioning properly.

*This is similar language to what was in the original watershed protection ordinance. It should have a positive effect on water quality.*

[146] | The EIS discusses establishing additional boat launch facilities in north end of the lake and closing facilities in the south part of the lake in order to redistribute the boats and people evenly between north and south.

*I see this as a potential negative impact, but not in conflict with watershed protection ordinance. I think it will simply result in overcrowding at the facilities in the southern part of the lake and more grading/development in the northern part.*

Additional items that we think would benefit water quality in Lake Lanier are as follows:

[147] | The gradual phasing out of 2-stroke engines on the lake.

[148] | Placing standpipes on the upstream sides of culverts to create mini wetlands/ pretreatment lagoons prior to the main body of water. These smaller areas would be easier to clean out if excess sedimentation occurs.

If you wish to discuss these comments further, please do not hesitate to contact me.

Sincerely,



Robert B. Rivers  
Public Works and Utilities Director

RBR/dpg

Cc: Mr. Jim Shuler, County Administrator

[145] Text has been changed to remove the Corps requirement that the system be pumped out every 5 years. However, the County may require pump out as a condition of certification. Comment noted that the requirement should have a positive effect on the lake water quality.

[146] The text in the EIS has been changed to no longer specify closure of recreational sites. The Corps agrees that the redistribution of recreational use will pose a challenge. However, the redistribution of use has been proposed as a method for reducing the intensity of use on the southern portion of the lake.

[147] Comment noted.

[148] The suggestion will be considered where appropriate.

*Response to Comments*  
John and Marci Russo

December 23, 2002

Chris Lovelady  
Chief Ranger  
Lake Sidney Lanier  
US Army Corps of Engineers  
PO Box 567  
Buford, GA 30515

Dear Mr. Lovelady,

I would like to submit comments on the recent Lake Lanier Shoreline Management Plan. My key area of interest is in the proposed management plan restriction on the size of a boat and the ownership of said boat that can reside on a dock, section 15.2 *Site Requirements*.

There are several points that I disagree with regarding this new clause:

[149]

1. I disagree with the new policy restricting the size of the boat on the dock to be smaller than the dock. This should remain acceptable in cases where there is sufficient space between docks to allow for the presence of a large boat and all navigation rules are maintained. While the navigation stipulation in this clause is clear and understandable, the points about environmental damage and aesthetics are not and seem subjective in nature. Environmental damage from the existence of a boat should be no greater than the existence of a dock, provided appropriate rules are followed with respect to securing the boat. In addition, using aesthetics to justify this stipulation creates a risky precedent that could then be applied to a large percent of docks I've seen on the lake and are open to subjective interpretation.

[150]

2. In addition, I am unclear what constitutes a "permanently moored" vessel, with respect to time frame. In periods of low water, our friends have temporarily moved their houseboat to our dock. Is this an acceptable practice, specifically noting that the need is due to low water conditions? In addition, we sometimes tie a small ski-boat to the houseboat for a day or a couple days on the weekend. This short-term situation of mooring one vessel to another vessel would violate the specific comment "in no case shall a vessel be moored to another vessel". In order for this to be enforceable, I feel that specific time frames must be identified.

Thank you for your consideration of these comments. I look forward to better understanding the plans for Lake Lanier in the future.

Sincerely,

John & Marci Russo

[149] The text in the SMP has been changed to read as follows:  
"In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities."

Environmental damage refers to the potential for hazardous material spills that occurs when boats sink or when holding tanks are illegally discharged.

[150] All vessels moored at private docks must belong to the permittee and in no case shall a vessel be moored to another vessel.

*Response to Comments*  
Linda Harris Ryan

-----Original Message-----

From: Lindahryan@aol.com [mailto:Lindahryan@aol.com]  
Sent: Monday, December 23, 2002 10:05 PM  
To: glendon.l.coffee@saqm.usace.army.mil  
Subject: PROPOSED PROGRAM IMPROVEMENTS UNDER THE DRAFT...

[151] Dear Mr. Coffee,  
As a Homeowner who is a neighbor of the Army Corps of Engineers property on Lake Lanier, I respect many of the plans and programs you do for the environment and for keeping Lake Lanier a beautiful habitat.

I have just recently become aware of the "Proposed Program Improvements under the Draft Environmental Impact Statement to Operation and Maintenance Activities at Lake Lanier." While many of the proposals are necessary and for a good cause, there are a couple under the category of "Shoreline Management" that cause me great concern. Namely, (1) encouraging those with grandfathered authorization to mow to cease mowing project lands and (2) Maintaining a vegetative shoreline buffer consisting of native woody shrubs and trees along all shoreline allocation zones..."

[152] For over ten years we have spent time and money mowing and maintaining the beautiful corps property that adjoins ours. You would be proud of the beauty we have contributed to the lake, beauty that so many neighbors on Clearwater Drive enjoy. The mowing, with the nutrients the grass provides, returned to the soil, has continued to fertilize the natural ground.

To take away the permit for mowing or to not be able to transfer that permit in a future sale of the property would be devastating. The impact on the real estate value around the lake would be a negative financial drain to the budget of Dawson County. This would be a burden to the taxpayers and one that would not be taken lightly.

I would like to ask that you reconsider this proposal and ALLOW THOSE WITH GRANDFATHERED AUTHORIZATION TO MOW TO CONTINUE TO MOW PROJECT LANDS.

Thank you,  
Linda Harris Ryan  
94 Clearwater Drive  
Dawsonville, GA 30534  
706-216-2516

[151] Comment noted.

[152] There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than species of grass. (See Section 19, Buffer Zones, of the SMP). Therefore, upon transfer of ownership, while existing mowing activities will be allowed, minimization of mowing will be encouraged to help protect the lake's water quality. Adjacent landowners have the greatest impact and opportunity to protect and restore the lake's vegetative buffer. Through the years, grandfathered mowing privileges and permits have resulted in a general degradation of natural habitat along the Lake Lanier shoreline, and has created the appearance of private ownership of public property. Eliminating mowing on government lands will protect the natural resources, enhance wildlife habitat and the aesthetic value of the land surrounding the lake, and promote the use of public property by eliminating the appearance of private ownership. Therefore no new authorizations will be granted for grass mowing.

*Response to Comments*

Terry Ryan

-----Original Message-----

From: Terencejryan1@aol.com [mailto:Terencejryan1@aol.com]

Sent: Monday, December 23, 2002 10:29 PM

To: Coffee, Glendon L

Subject: PROPOSED PROGRAM IMPROVEMENTS

Dear Mr. Coffee,

[153]

It has been brought to my attention that some of the new proposed items in the "Lakeshore Management plan" may cause many Homeowners a tremendous devaluation of their property value adjoining Lake Lanier. Namely, to discontinue issuing permits for grass cutting on land with grandfathered authorization would be a terrible mistake.

I believe this would result in many lawsuits as well as class action lawsuits from property owners. I hope you will reconsider this item in particular and allow for mowing on those properties.

[154]

Another concern is the water quality issues. It seems discriminatory that only Homeowners who are requesting a Shoreline Use Permit are required to pump or move their septic system. There seems to be a bigger problem with the Gwinnett County sewerage dumping into the lake that should be addressed. Again, I feel you will have numerous lawsuits due to the expense to the Homeowners and by not addressing the Gwinnett County issues.

Sincerely,

Terry Ryan, Lake Property Owner

[153] The shoreline management program, as directed by Congress, includes environmental stewardship and protection of the natural resources under the control of the Corps. There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than species of grass. See Section 19, *Buffer Zones*, of the SMP.

[154] Septic systems are being linked to Shoreline Use permits because it takes advantage of an existing inspection system (managed by the counties) to address a number of land management issues, such as encroachments.

The SMP does not govern municipal utilities systems such as county point source discharge requests. The regulation of point source discharges, such as the Gwinnett County discharge, is the responsibility of GA EPD and EPA. A recent court decision has blocked, at least temporarily, permission for Gwinnett County to discharge into the lake.



*Response to Comments*  
Ronald E. Seder

Ronald E. Seder  
6355 Barberr Hill Place  
Gainesville, Georgia 30506  
770-889-1088  
ronseder@mindspring.com

December 21, 2002

Mr. Glen Coffee  
US Army Engineer District, Mobile  
Attn: CESAM-PD-E  
P.O. Box 2288  
Mobile, AL 36628-0001

Dear Mr. Coffee,

I am a Lake Lanier resident of many years who is very interested in the preservation of Lake Lanier and the quality of life benefits it provides to millions of people.

This correspondence deals with my comments on the "Draft Environmental Impact Statement for the Operation and Maintenance of Lake Sidney Lanier, Georgia" (EIS).

The EIS and its associated material is voluminous and more than I could adequately comment on in a comprehensive manner, especially during the demands of the Christmas season. I think it unfortunate that there was not more timely and continuous interaction with the public during the development of the EIS. The comments I offer here cover some of my observations. An exploration of all of my thoughts concerning the EIS would require more writing than I am willing to do, but a few hours with the authors would produce a more comprehensive review of the material.

My comments follow and are in no order of priority.

[155]

- The first page after the title page of the EIS (no page number) says the counties that affect the Lake's watershed are Dawson, Forsyth, Lumpkin, Hall, and Gwinnett. However, White and Habersham Counties contain a very significant portion of the Lake Lanier watershed. I think there are also two other counties that contain a miniscule portion of the watershed, but might be as significant as the very small portion of the Lake Lanier watershed in Gwinnett County. The quality and quantity of water in Lake Lanier results from the quality and quantity of the water coming to the Lake from its entire watershed.

[155]

White and Habersham counties do represent a significant portion of the watershed and will be added to the statement describing the watershed of Lake Lanier.

[156]

- Page ES-6: The Proposed Program Improvements "Allowing for the revocation of Shoreline Use Permits (private boat dock permits) for all violations involving the unauthorized removal of vegetation". I agree with enforcing the vegetation removal rules, but if this statement is taken literally the unwitting removal of vegetation gets the same penalty as the knowing removal of large trees to produce a better view. The dock permit is tremendously important to most homeowners' enjoyment of Lake recreation

[156]

To protect the lake's vegetative buffer and water quality the Corps utilizes many criminal, civil and administrative penalties. Of these penalties permit revocation is just one method to deter the unauthorized clearing of public property.

- [156 cont.] and to the market value of their home. I suggest there be less severe penalties, than removing the dock permit, for less severe rules infractions.
- [157] Pages ES-5,6,10: The choice offered for the maximum number of boat docks is either 25,327 or 10,615. The 25,327 is apparently the maximum boat docks, according to current rules, determined by straight simple mathematical calculation applied to the currently identified LDA shoreline (I assume that the total number of boat docks that could be practically accommodated would somewhat less than 25,327). The 10,615 is apparently determined by applying a 50% rule from the COE ER 1130-2-406 to the currently defined LDA shoreline. There seems to be little logical rationale behind these calculations to support an optimum number of boat docks. I do not understand the rationale or science behind the 50% rule in COE ER 1130-2-406, and therefore, I assume it can be changed. There are some things said about the boat capacity of the Lake being exceeded, but I see no rationale to support this conclusion other than number of boats in the area of the Lake and a reference to a 1985 study (not enough divulged about that study for me to determine if I think it was valid or not) concluding that the Lake surface was overused by 71% on one occasion (pages 1-10, 3-56). My observation is that the Lake is very much less used during most days of the prime boating season than indicated by the published results of the study (non weekend and holiday days). I would like to see a more logical and scientific method of determining the best maximum number of boat docks on Lake Lanier.
- [158] Are community and courtesy boat docks included in the maximum number of private boat docks? Are the number and use of slips in community/courtesy boat docks limited to the building lots abutting the COE line rules as are other private boat docks?
- [159] I see many benefits listed in the EIS assessments for having fewer boat docks, but I see no credit given to more boat docks providing more recreation to a greater number of people. Lake Lanier is a recreation gem in the Atlanta Metropolitan Area, and as the Area continues to grow the recreation offered by Lake Lanier will hopefully provide a quality of life benefit for a greater number of people. The selfish approach for me, as a Lake Lanier resident with a boat dock permit, would be to favor anything that reduces the number of people who enjoy Lake Lanier, but that approach would ignore what should be done for the greatest good.
- [160] Page ES-7: "Providing that Shoreline Use Permits for private or community boat docks limit the maximum size of boats to the length of the boat dock" (which I think is identified as 32 feet). It bothers me that an individual with a 35 foot boat must rent a slip in a marina for his boat rather than tie it to his dock. There certainly are areas of the lake that should have boat size limitations because of the concentration and proximity of boat docks. However, there are other areas of the Lake with boat dock configurations that could accommodate larger boats.
- [161] Page ES-7: "Requiring the mooring of boats in boat slips". What is the definition of a boat slip? If one has a boat dock with one internal boat slip and two sides, can three private boats of the owner be moored to that dock? Are each of the two sides considered to be a boat slip in this proposal?
- [162] Page ES-7: "Requiring that owners plant natural vegetation or install riprap or other shoreline or bank stabilization measures when applying for a new Shoreline Use Permit, renewal of a Shoreline Use Permit for a private boat dock or community boat dock, or
- [157] The methodology used to determine the number of potential boat docks as described in Appendix D is based upon guidance found in ER 1130-2-406 which states:  
 "The density of facilities will not be more than 50% of the Limited Development Area (LDA) in which they are located. Density will be measured by determining the linear feet of shoreline as compared to the width of facilities plus associated moorage arrangements which restrict the full unobstructed use of that portion of the shoreline."
- These criteria are to be applied to all Corps impoundments throughout the nation to maintain the aesthetic, environmental, and recreational quality of Corps managed public lake projects for enjoyment by all segments of the general public in addition to neighboring property owners.
- [158] A variety of factors are considered when negotiating the number of slips allowed within a community dock. Those factors include length of adjoining shoreline and number of adjacent lots. Under no circumstances would the number of slips in a community dock ever exceed the number of slips which could have been authorized utilizing private docks for a specified length of shoreline when the criteria contained within ER 1130-2-426 is applied.
- [159] The SMP and the limitation on the number of private boat docks is intended to maintain the resource value of Lane Lanier at the highest possible levels for use and enjoyment by all members of the public.

- [160] Text in the SMP has been changed to read as follows:  
“In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner’s ability to safely moor and protect from storm damage must be stored in marina facilities.”
- [161] This wording from the executive summary will be changed to agree with the wording contained in the complete SMP, which does not have this requirement.

- [162 cont.] upon granting or renewing USACE outgrants. Such measures would not be required, however, upon an applicant's clear showing that such an erosion control effort is infeasible or otherwise not required because of soil composition, erosion potential, or other circumstances." I do not agree with this application of bureaucracy if it means that all dock permit renewals will require the expenditure of hundreds or thousands of dollars unless the person renewing the permit proves (how can this be proven?) that he should not have to spend the money.
- [163] - Page 1-4 and others: There is discussion about septic systems polluting the Lake. Of course, a failing septic system is bad and should be corrected, but I am concerned about any rules or bureaucracy established to enforce a septic system routine, unless there is science to show the need. Are there any studies/science that shows that septic systems are contributing significantly to the pollution of a lake? I have seen assumptions made about septic pollution for other projects, but I have never been able to find empirical data that proves or quantitatively demonstrates it.
- [164] However, the UGA "DIAGNOSTIC/FEASIBILITY STUDY OF LAKE SIDNEY LANIER, GEROGIA" (commonly referred to as the Lake Lanier Clean Lakes Study) (on the web at <http://www.cviog.uga.edu/projects/lanier/>), on page 5-53 says: According to the EPA's Seven Rural Lake EIS, "abandoning septic tank/soil absorption systems along the shorelines will seldom result in significant change in lake trophic status."
- [165] Page 2-46: I do not think that the High, Medium and Low Lake Level definitions given would match the assessment of Lake Lanier users. A low lake level would be much higher than 1056 and a level of 1043 would be an even worse disaster, which has never been experienced on Lake Lanier.
- [166] Page 3-2: "During extreme drought periods, the lake may drop as low as 1,035 feet msl". This statement may represent the official Corps of Engineers view, but it is not all practical to consider lowering the Lake to that Level. My suggestion, for the necessary recreational, economic and water supply insurance benefits to be provided by the Lake, is that the Lake not be planned to go below 1056 feet msl during extreme drought periods.
- [167] Page 3-15: Statement says, elevations in the watershed range from more than 1,311 feet to 229 feet at lakeside. 229 feet is much too low for an elevation at lakeside.
- [168] Page 3-31: Estimates the economic value of the Lake at \$155 Million. Other work I have seen cause me to believe that \$155 million is much too low. I would like to see more concentration on this benefit and more reconciliation with other assessments of Lake Lanier's economic value.
- A "Marine Trade Association of Metropolitan Atlanta" report, "Lake Sidney C. Lanier A Study Of The Economic Impact Of Recreation", dated September 2001, shows recreation on Lake Lanier to be the dominant portion of a \$5.5 billion recreational contribution to the economy. A letter at the beginning of the report, signed by Kit Dunlap, President/CEO of the Greater Hall Chamber of Commerce says "The economic impact is over \$5 billion annually...recreation a predominant part of that number"
- The UGA "DIAGNOSTIC/FEASIBILITY STUDY OF LAKE SIDNEY LANIER, GEROGIA" (commonly referred to as the Lake Lanier Clean Lakes Study) (on the web at
- [162] The installation of riprap will not be required for all permits (see Section 15.2, *Site Requirements*, of the SMP). The text referenced in the comment has been changed to read as follows:
- "Shoreline stabilization measures (riprap) may be required with the issuance of new permits that require fixed steps or are located on sites already affected by erosion."
- This requirement applies to both new permits and to the renewal of existing permits. However, placement of riprap would only be required on a maximum length of 10 feet of the shoreline on either side of the point where the fixed steps are located along the shoreline. The purpose of the riprap is to protect the integrity of the steps against erosion so as to avoid the potential creation of an unsafe condition on public lands should the steps be damaged by the loss of shoreline soils. This requirement also protects the landowner's financial investment in the structure.
- [163] Numerous studies are available in the scientific literature regarding the effects of failing septic systems. However, no studies within the Lake Lanier watershed were located. Septic tank failure rate used in modeling represents an estimated rate gathered from the various local county agencies.
- [164] The full statement from the Clean Lakes Study on the page cited reads as follows: "According to the EPA's Seven Rural Lake EIS, "abandoning septic tank/soil absorption systems along the shorelines will seldom result in significant change in lake trophic status" (EPA, 1983). This does not imply that septic tanks do not contribute to lake pollution. To minimize the impact of septic tanks on the lake it is necessary to ensure that they are being used properly." The study goes on to state that "The main problems with inappropriate use of septic tanks are using them beyond their life expectancy (50 years for concrete/fiberglass/plastic, 10 years for metal) and the tanks not being pumped and emptied frequently enough. This can be combated by having the tanks inspected at least every two years and having them pumped once every three to five years. Another problem lies with the cumulative effect of having too many septic tanks in the same area. There should be fewer than five per hectare (Adriano, 1994). Local zoning requirements may need to be developed to control the concentration of septic tanks in certain areas."

- [165] The various lake levels used in the analysis are based on previous modeling efforts described in the Environmental Impact Statement for the Water Allocation for the Apalachicola-Chattahoochee-Flint River Basin, Alabama, Florida, and Georgia. The levels are those that can be reasonably expected to occur based on historical and seasonal fluctuations.
- [166] The 1,035 level represents a lake level that could occur during extreme drought conditions.
- [167] Text has been edited as follows:  
“...more than 4,439 to 1,071 feet at lakeside.”
- [168] No assertion is made in the document of the exact economic value of the lake, only that the lake is economically beneficial to the region and that the value varies depending on the study. The Marine Trade Association estimated value of \$5.5 billion is already cited in the EIS, in addition to the REAS \$155 million estimate, and information on the \$2 billion dollar estimate from the UGA study has been added as well. It should be noted that this information is used for descriptive purposes only, and has no bearing on the impact analysis.

[168 cont.] <http://www.cviog.uga.edu/projects/lanier/>), referring to Lake Lanier recreation, says on page 6-2 "Recreation is the biggest revenue producer on the lake, generating \$2 billion per year (McCafferty, 1995)."

Page 4-16: "An analysis of lake elevation levels and USACE monthly visitor data indicated that there is no significant correlation between lake elevation levels and visitor attendance for historical lake level fluctuations (from 10,59 feet msl to 1,071 feet msl)". I suggest that a lack of correlation on just a few data points, without considering other cause and effect relationships, is a misuse of statistical analysis.

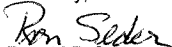
[169] The Corps of Engineers, "Water Allocation for the Apalachicola-Chattahoochee-Flint (ACF) River Basin" (on the web at <http://www.sam.usace.army.mil/pd/actacfeis/acfdraft.htm>), in the Volume 2 Appendices, Table F-5-32 on page F-5-34, shows Lake Lanier boater trips at a Lake level of 1065' msl to be only 51% of the boater trips at 1071' msl. The table also shows boater trips at a Lake level of 1055' to be only 13% of the boater trips at a Lake level of 1071. This identifies a huge impact on Lake usage at lower Lake levels.

[170] Page 4-50: I think the statement "Development would have the most direct influence in creating adverse effects to water quality due to increases of dissolved oxygen", is incorrect. More dissolved oxygen is good. I think development would more tend to reduce dissolved oxygen.

[171] For fairness and considering past expectations, I suggest that current dock permit holders be exempted from (grandfathered) most of the proposed changes.

If you would like to discuss my observations included here, or others not included here, please contact me.

Sincerely,

  
Ronald E. Seder

[169] The discussion in Chapter 4 and Appendix A, as acknowledged in the document, was based on limited data and is not intended to serve as a definitive statistical analysis. Nonetheless, there seems to be sufficient information to indicate that lake levels have not had a profound effect on overall lake visits. This is not to say some activities, such as boating trips, are immune to changing water levels. Regardless of our findings on the potential correlation between lake levels and lake visits, the impact analysis considers a large range of potential decreases in attendance with lower lake levels. For example, the analysis assumes up to a 50 percent reduction in visits at the lowest lake levels.

[170] Text has been edited as follows:  
"Development would have the most direct influence in creating adverse effects to water quality due to increases in concentrations of total phosphorus and total nitrogen and a decrease in dissolved oxygen."

[171] All Shoreline Use Permit/Licenses are issued for a maximum of a five-year period. The permit may be reissued when the current term expires if the permitted facilities and uses of public land are in compliance with the conditions of the permit. When reissuing permit privileges prior permitted activities are often "grandfathered".

**Comment Form**

Draft EIS for Lake Sidney Lanier

All comments must be received by December 23, 2002.

\*Name (optional) LEO SHEPPARD  
 Agency/Organization \_\_\_\_\_  
 Address 15 NORTH CHESTNUT POINT DAWSONVILLE, GA 30534

\*(If you wish to have your name listed as a commenter in the Final EIS, please provide your name and address.)

**I. Please check the affiliation that is applicable to you.**

(Please check only one):

- Lake Lanier Resident       Lake Lanier Recreational User       Civic Organization  
 University       Environmental Organization       Local/County Government  
 State Government       Federal Government       Other \_\_\_\_\_

**II. Demographic Information**

County DAWSON  
 City DAWSONVILLE  
 State GA ZIP Code 30534

**III. Comments on the No Action Alternative**

NEEDS SOME REVISION.

**IV. Comments on the Preferred Alternative**

[172]

I WOULD LIKE TO SEE THE VERBAGE OF THE GRANDFATHER CAUSE TO BE CHANGED TO ANSWER QUESTIONS SUCH AS, WHAT HAPPENS IF THE DOCK IS DESTROYED, NEEDS REPLACING, OWNERSHIP TRANSFERRED ETC. I WOULD LIKE TO HAVE THESE ANSWERS AND WORKED AS SUCH INTO THE GRANDFATHER CAUSE

**V. Comments by Issue**

• Fisheries, Wildlife, and Forestry Management:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• Boat Docks: I'm in agreement to limiting the number of docks and their sizes. I feel that docks should be limited in length to 25ft with a boat length allowance that not more than 5ft over each end of the dock. The width sized accordingly.

[173]

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

[172] The SMP has been modified to read as follows:  
 "A 'grandfathered' item is defined as an activity, facility or structure that was authorized under a previous policy and prior permit, but new permits are no longer issued for their construction. Existing permits will continue to be reissued for these items until they reach a state of disrepair, create health or safety hazards or are no longer functional. These items must remain in substantial compliance with the conditions of the permit."

The special condition section of the Shoreline Use Permit/License referring to grandfathered facilities has been modified to read as follows:

"This facility is in a protected/recreation area and must be maintained in a usable and safe condition, not occasion a threat to life or property, and the permittee must be in substantial compliance with the existing permit conditions in order for permit to remain valid. If the permitted facilities do not meet these requirements they must be removed and cannot be replaced."

[173] The maximum boat dock size was established in the original 1977 SMP and since that time it has become customary and accepted by the public. A change at this time would create hardships and it is not clear what benefits would be produced.

•Watersheds and Water Quality:

•Recreation and Aesthetics:

•Shoreline Management:

•Commercial Activities:

**VI. Other Comments**

[174]

WHERE I LIVE, THE COVE IS SMALL, SO I COULD NOT GET A big DOCK. THE VERBIAGE IN THE preferred ALTERNATIVE would or could possibly eliminate my dock and/or THE SIZE of my boat to 12ft. I prefer to NOT NAVIGATE THIS SIZE of LAKE IN SUCH A SMALL BOAT. Also if the VERBIAGE is NOT changed, I could stand the possibility of losing my dock, effecting THE VALUE of my property TREMENDOUSLY.  
I would like to be grandfathered in as I am now. (5x12 dock 20ft boat) DOCK REPAIRABLE AND/OR REPLACED AND TRANSFERABLE

[174] No permits for private use will be issued for new platform/T-Docks due to safety concerns and general unsuitability as a mooring facility. Existing docks of this configuration that are currently authorized under permit will not be affected by this change in policy.



*Response to Comments*  
Nona and Doug Stacks

-----Original Message-----

From: Nona Stacks [mailto:nonastacks@msn.com]  
Sent: Thursday, December 19, 2002 4:28 PM  
To: Coffee, Glendon L  
Subject: War Hill Marina

Dear Mr. Coffee,

[175]

It our understanding that the War Hill area is under consideration for a marina to relieve boating activity on the south end of the lake. The following are reasons we oppose this action.

[176]

There is significant traffic on the Chestatee River already. There is not as wide a span of water to accommodate large boats in this area as there is on the Southern part of the lake. There are adequate boat launches, community docks, private docks that already contribute to a high volume of boating activities. Traffic from the Southern part of the lake on the Northern part of the lake is extremely heavy now.

[177]

As a percentage of navigable water space available, there are probably as many boats on the northern part of the lake now as there are on the Southern. There already exists a problem when large ocean size boats and houseboats venture

past Brown's Bridge. As the lake narrows and with increased boating traffic, danger of accidents increases significantly.

[178]

Many campgrounds with public access are on the Northern part of the lake that contribute to much of the boating traffic now. The population of people moving up to the Northern part of the lake has probably already doubled in the past five years due to new construction and development of new communities on the lake, which also contributes to an increase in lake usage.

It appears to us that it is more feasible and much less expensive to expand existing facilities in the Southern part of the lake where there is more useable space on the lake and more room to expand.

Thank you for your consideration in this matter.

Sincerely,

Nona and Doug Stacks

[175] The proposed leasee is not interested in leasing the War Hill Park at this time. However, there is still a need for services on the Chestatee River and the Corps will continue to look for a way to provide a marina operation in the area.

[176] Comments noted.

[177] The recreational sites along the northern portion of the lake do not currently receive the level of use experienced by the sites located on the southern portion of the lake.

[178] Presently, marina facilities are lacking altogether on the Chestatee River arm of the lake. Expansion of the existing marinas on the southern portion of the lake would not satisfy the need for such facilities on the Chestatee River because they would be too far away to be of efficient value. Marina facilities on the Chestatee River would be available to the recreational visitors using that area, as well as to the adjoining property owners that possess boat docks that arm of the lake.



December 10, 2002

Mr. Glenn Coffee  
 US Army Engineer District, Mobile  
 Attn: CESAM-PD-E  
 P.O. Box 2288  
 Mobile, Alabama 35528-0001

Dear Mr. Coffee:

This letter is written to make you aware of the points of concern this organization has found in the proposed Shoreline Management Plan (SMP) for Lake Sidney Lanier in Georgia.

After reviewing the proposed Shoreline Management Plan the following are areas of concern which we would like to draw your attention to during this review process:

[179]

- **The new SMP gives the local management office authorization to revoke a private land owner's Shoreline Use Permit (private boat dock permit) for all violations involving the unauthorized removal of vegetation.** Under this scenario a neighbor could remove vegetation from the adjoining property and the property owner from which the vegetation was removed is penalized. Our concern is under what conditions would this occur? What proof of removal is required and who determines if the property owner is in fault?  
 The latitude is too broad and the private property owners are subject to the discretion of the rangers and office manager. Under extreme cases revocation is appropriate. Private property owners purchased lake lots, paid the premium to live on the lake to enjoy the view of the lake, and to access the lake directly via a private boat dock. This premium is reflected in the valuation of the property each year on the county tax bill. Therefore, a case can be made for such a scenario as described above which places a huge burden on the property owner.
- **We ask that you put strict guidelines and limitations in place to prevent misuse of this proposed change.**

**Response to Comments**  
 Jeff Stephens and Joni Owens

[Note: This letter is a duplicate of the letter by Mark Hamilton (comments 93 - 100. All responses to comments are the same for this letter as for the letter written by s.]

[179] Same response as to Comment No. 93 above.

- THE PRESIDENT'S COUNCIL**
- Prestige Level Members**  
 Northside Hospital
- Platinum Level Members**  
 City of Cumming  
 Forsyth County Board of Commissioners  
 Forsyth County News  
 North Fulton Regional Hospital
- Gold Level Members**  
 Baptist Medical Center  
 BellSouth  
 Kroger  
 Northwoods Medical Specialists  
 The Rouse Company  
 Wachovia Bank
- Silver Level Members**  
 American Proteins, Inc.  
 automationdirect.com  
 Bank of America  
 Bank of North Georgia  
 BB & T  
 Chattahoochee National Bank  
 Chestatee State Bank  
 Citizens Bank of Forsyth County  
 Crescent Bank  
 Development Authority of Forsyth County  
 Embury State Bank  
 Fidelity National Bank  
 First Colony Bank  
 First National Bank of Johns Creek  
 First Union National Bank  
 Georgia Power Company  
 H & H Staffing Services  
 Hoover Precision Products, Inc.  
 Ingles  
 Integrity Bank  
 L3 Communications Corp.  
 McKESSON  
 National Bank of Commerce  
 Norman's Landing  
 Publix Super Markets  
 Regions Bank  
 Solvay Advanced Polymers  
 Southern Staircase  
 SouthTrust Bank, N.A.  
 Suntrust Bank of N.E. GA, N.A.  
 Technology Park/Atlanta, Inc.  
 Terrabrook/Laural Springs &  
 Windermere Communities  
 United Community Bank  
 Wal-Mart
- Bronze Members**  
 Atlanta Gas Light Company  
 Exhibit Systems, Inc.  
 Georgia Power Company  
 Hansgrohe, Inc.  
 Highwoods Properties  
 N.E. Georgia Medical Center  
 NorthSide Foods  
 PBD, Inc. Worldwide Fulfillment Services  
 Sawnee EMC  
 Scientific Games International  
 Siemens Energy & Automation
- The Cumming-Forsyth County Chamber of Commerce**  
 212 Kelly Mill Road Cumming, GA 30040  
 p:770-887-6461 f:770-781-8800  
 fccoc@forsythchamber.org

- [180] • **Requiring all open areas where grass mowing is not authorized under the existing Shoreline Use Permits to be revegetated by the permittee or at the Corps discretion.**  
The language is too ambiguous. This language gives the Corps of Engineers too much discretion to force a permittee to spend funds on revegetation that may be out of their ability to fund. There is no specification on what will be required to be used to revegetate the area. Private property owners paid a premium for a lake lot to see the lake. The owner pays higher taxes than property not located on Lake Lanier. The potential is that the Corps could require trees or vegetation that grows very tall thus diminishing views to the lake and reducing land / business and /or home values of the private property owner.
- **We ask that you specify low growing vegetation would be required. Furthermore, if the owner is unable to afford the expense the Corps will not penalize the owner by revocation of Shoreline Use Permit. Today, there are residents whom live on Lake Lanier, but cannot afford additional expenses because they are on a fixed income, have experienced a loss of spouse or other circumstances which effect their monthly income.**
- [181] • **Encouraging existing private dock permittees to convert to community docks followed by rezoning of the shoreline from LDA to Protected Areas.**  
It is not clear under what conditions this rezoning may take place. We object to this change without clarification of the circumstances by which a rezoning is implemented. The potential is that a cove area where there are 10 docks may be rezoned by the Corps to protected area. As permits come up for renewal the local management office will not renew a permit, thereby forcing private dock owners to move to a community dock. This also allows the local management office the opportunity to deny a permit for a private dock on a resale home that has a private dock permit at the time of sale. The private dock owners would then have a dock without a home and money thrown away. In addition, the value of the property has significantly declined as a result of losing a private dock permit. We understand private dock permits are not transferable; however, the potential for eliminating docks is found in this change to the SMP. Private property owners, businesses and residents, that currently have a dock permit paid a premium on the purchase of their property/lot/home. A loss of dock permit will devalue the original purchase price a significant amount. The private property owner will bear the burden of the loss of value.
- **We request that you give assurances to existing property owners with private docks by grandfathering in current docks so that private property owners will not be negatively affected if an area is rezoned to "protected area". In other words, the private docks now in place should be grandfathered into the SMP to assure they will not be affected upon permit renewal if an area is rezoned to a protected area. This inclusion will provide the assurance to existing homeowners that, at the time of sale, a permit cannot be denied as a result of a rezoning.**
- [182] • **Providing that Shoreline Use Permits for private or community boat docks are ineligible for renewal (for a period of 1 year) in the event corrective actions are not taken effectively or in a timely manner. We request some ability to give variances under specific circumstances.** Such circumstances may be the inability to get a contractor to make repairs as required in the time allotted. While it is appropriate to have consequences for those property owners that do not take action at all, it is equally inappropriate to place this burden on a property owner that has made efforts to comply, but failed due to circumstances out of the owner's control.

[180] Same response as to Comment No. 94 above.

[181] The decision to replace existing individual docks with a community dock is voluntary and is not required in the updated SMP. Out of necessity, only neighboring property owners and facilities would be able to form associations and acquire community dock facilities. Rezoning of shoreline would only effect those properties that are using the community dock.

Regarding the concern over the influence of boat docks on property values, Shoreline Use Permits/Licenses are issued to individual landowners. At the time of sale of a property, all permits are voided. Prior to the purchase of a property, new buyers are encouraged to contact the Corps of Engineers to verify the existence of shoreline use permits. New buyers also need to inquire about the possibility of a new permit being issued once the property has been transferred. Assuming compliance with all SMP policies and site requirements remain suitable, new property owners can be reasonably assured of being granted a permit.

[182] The Corps will work in good faith with all permit holders in the permit reissue process. This process allows up to a maximum of five months for permit holders to identify and take corrective actions before punitive measures are undertaken. We believe five months provides an adequate time frame within which corrective actions should be completed.

[183] On Page 25: *The requirement of a "full member" level inspector of the ASHI or GAHI is another expense for private dock owners and has the potential for disaster.* Some owners cannot afford an inspector. This places a huge burden on property owners to make costly repairs that may not, in fact, be critical to the dock's function.  
We request that you delete this requirement. Property owners pay taxes which support the budget of the Corps and this should continue to be a responsibility of the Corps. By placing this task on the property owners this change will in effect, double tax property owners on the lake by forcing property owners to pay for this service in addition to the taxes paid to support the Corps budget.

[184] On page 32: *Section 19. Buffer Zones, paragraph 3, 3<sup>rd</sup> sentence: It is now required that "limited development" areas serve as an undisturbed, forested buffer.* This requirement is too broad. This should be clarified to specifically what is intended. The potential for harm to homeowners and businesses located on "limited development" areas is that you may require trees to be planted in sparse areas which would block views and thus reduce the value of the investment by the private owner.  
This requirement should be specified to low growing trees. The broad ability to direct private property owners to plant trees on the buffer area is not in the best interest of private property owners, which includes residents and businesses.


[185] *Providing that Shoreline Use Permits for private or community boat docks limit the maximum size of boats to the length of the boat dock.*  
The concern on this proposed change is there are several current boat owners with a private dock that do not meet this requirement. The SMP requires boats to be no longer than a maximum dock size allowable of 32 feet. This means a boat cannot be longer than 28 feet assuming there is a 3 ft. walkway incorporated into a 32 ft. dock. The real concern is that at such time a boat owner has to purchase a dock to replace an old dock the owner will be denied a permit if their boat is longer than the new dock. This requirement will create an incredible nuisance and place an unfair burden on boat owners that, at the present time, have a private dock for their boat.  
There is no provision for grand-fathering and protecting all current boat owners with a private dock. Therefore, we recommend this requirement be deleted.

[186] Finally, we request that the Corps of Engineers keep in mind the need to protect the investments of the property owners on Lake Sidney Lanier. The majority of the property owners consider themselves custodians of Lake Lanier and take pride in maintaining private property in a proper manner on Lake Lanier. Please avoid placing so much authority in the local management office to the detriment of the property owners. Restrictions and firm guidelines must be also written and enforced so there is a true balance of relationship between property owners and staff of the Corps of Engineers.

Thank you for considering these comments as you revise the draft of the Shoreline Management Plan under consideration.

Sincerely,

Jeff Stephens  
Chairman of the Board

  
Joni Owens  
President & CEO

CC: U.S. Senator Zell Miller  
U.S. Senator-Elect Saxby Chambliss  
U.S. Congressman Nathan Deal  
U.S. Congressman John Linder

[183] Due to the volume of permitted facilities the Corps does not have the manpower or the expertise to conduct inspections. The requirement within the updated SMP that Corps certified inspectors be used is intended to ensure that all inspections are completed in a technically competent and objective manner. Costs of inspections are to be paid by the permit holders since they receive all benefits of the permitted facilities.

[184] It is the responsibility of the Corps to protect the valuable natural resources at Lake Lanier to promote environmental sustainability through a healthy ecosystem for current and future generations to enjoy. These goals and objectives are pointed out in both the SMP and EIS. Maintenance and preservation of the forest buffer at Lake Lanier contributes to these objectives.

The Corps is not proposing that landowners plant trees on their property, but rather plant trees on Corps property where they have previously been removed by adjacent landowners. The goal is to provide a vegetated protective buffer around the lake. One must remember that the majority of lake users do not own homes on the lake.

[185] Text in the SMP has been changed to read as follows:  
"In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities. Therefore, based on this language it is possible that boats larger than the dock could be moored. Each situation will be considered on a case-by-case basis."

[186] The local USACE project office is responsible for managing the lake and the government lands surrounding the lake. Management oversight is provided by the Mobile District and South Atlantic Division offices. Although cognizant of the surrounding area, the Corps must act in the interest of the general public. Most of the lake users do not live on Lake Lanier. Corps' management of Lake Lanier's resources benefit all segments of the public, not just the interests of adjacent private property owners.

*Response to Comments*

Lionel Varner

-----Original Message-----

From: lgvarner [mailto:lgvarner@charter.net]

Sent: Sunday, December 22, 2002 4:16 PM

To: Coffee, Glendon L

Subject: DEIS for the Operation and Maintenance of Lake Sidney Lanier, Georgia

Dear Mr. Coffee:

[187]

In reviewing the draft environmental impact statement for the operation and maintenance of Lake Sidney Lanier, Georgia I commend the majority of the recommended management changes outlined in the proposal.

[187]

Comment noted.

[188]

The proposal referring to the change in mowing grass in open areas is in my opinion treating home owners unfairly as it would affect quality of current living conditions and resale value. I fully understand you and all Corps officials know this.

[188]

The shoreline management program, as directed by Congress, includes environmental stewardship and protection of the natural resources under the control of the Corps. There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than grass. See Section 19, *Buffer Zones*, of the SMP.

Without elaborating any further on this recommended change, I respectfully request the Corps management team leave the mowing policy as it is currently by eliminating this proposal from the new draft environmental impact statement.

Yours truly,

Lionel "Lee" Varner  
6652 Garrett Rd.  
Buford, GA 30518  
(770) 932-1158

*Response to Comments*  
David Waller

Lonice C. Barrett, Commissioner

**Georgia Department of Natural Resources**  
2070 U.S. Highway 278, S.E., Social Circle, Georgia 30025  
David Waller, Director, Wildlife Resources Division  
770/918-6400

December 23, 2002

Mr. Glen Coffee  
Environment and Resources Branch  
United States Army Corps of Engineers  
Post Office Box 2288  
Mobile, Alabama 36628

Dear Mr. Coffee:

- [189] Thank you for the opportunity to review the Draft Environmental Impact Statement (DEIS) for the operation and maintenance of Lake Sidney Lanier. Within this document, the discussion of aquatic and terrestrial wildlife habitats, their dependent species, and the public recreation opportunities associated with Lake Lanier's wildlife resources is indeed appreciated. My staff has reviewed this document and would like to offer some comments that will hopefully strengthen your final draft. We have some generalized comments regarding your proposed management direction, followed by specific suggested edits on your text. [189] Comment noted.
- [190] The Georgia Wildlife Resources Division (GAWRD) understands the increasing public demand on your agency for abundant and high quality recreational experiences. Your effort to seek a balance between providing that desired recreation and protecting the reservoir's natural resource and aesthetic values is indeed appreciated. The proposed Shoreline Use Policy, which sets a new limit for private boat docks and mandates community docks when applicable, appears to reach a proper balance between private development interests and your desires to protect natural resources and maintain public access to public property. Your proposals to improve shoreline management via the rehabilitation of vegetative buffer zones and the mandated use of riprap and biostabilization techniques are excellent. [190] Comment noted.
- [191] Suggested natural resource management initiatives, including a deer management program with recreational hunting opportunities, a continued fish habitat improvement program, an emphasis on native vegetation management, wetlands protection, improved erosion control and sediment removal efforts, and an island conservation directive, are particularly appealing to GAWRD. In terms of recreational use, we are pleased to read of increased emphasis in providing a) improved boating access to the northern end of the lake and b) more bank fishing opportunities throughout the project. Given the fact that fishing was second only to boating as the lake's most popular recreational activity (Table 3-30), we believe that your management direction is well justified. [191] Comment noted.
- [192] There are, however, several areas of the DEIS that do raise some questions or present your agency with greater opportunity. First, the most important factor for maintaining Lake Lanier and its associated recreational values is one that, granted, is mostly beyond your direct control. That factor is nonpoint source pollution and its effects on lake water quality (see our attached comments regarding page 4-50). Despite this lack of direct control, your agency still has an excellent opportunity for public education on the topic of nonpoint source pollution. Your EIS document presents a forum to highlight this critical concept for all lake users. We suggest that you take advantage of the opportunity before you with some enhanced text on pages 2-9 and 2-10 describing water quality issues, especially dissolved oxygen at both the surface and at deeper water levels and its critical impact on the ecological health of the lake. [192] We agree that it would be helpful to provide educational and informative passages in the EIS. However, the Corps has tried to avoid including tutorial passages in the EIS in an effort to keep the size of the already voluminous document to a minimum. In fact, some comments have been critical of the size of the current EIS.
- [193] Second, we are concerned that your proposed efforts to redistribute recreational use from the southern end of the lake to the northern end (Park Operations, Page ES-9; Page 2-3 1) will not work. The pressure on the southern end, due to a growing metro Atlanta region, will continue (Page 4-45, Line 27) and will not be easily redirected to the more distant portion of Lake Lanier due to human nature. We suspect that the majority of Atlantans, especially those that boat, will still choose to recreate closer to home. By constructing new recreational facilities on the northern end of the lake, you will simply encourage lake use by residents of the growing northern lake counties (especially Dawson, Lumpkin, and Hall). The end result will be a net increase in developed sites and in recreational use of the lake, rather [193] The intended purpose of the redistribution of recreational activities is to accommodate the day use visitation demand on the south end of the lake and to shift camping activities to the northern portion of the lake.

Mr. Glen Coffee  
December 23, 2002  
Page 2

[193 cont.]

than your goal of simply redistributing the pressure. Development specifics (sites, facilities, capacity, etc.) for proposed northern zone improvements were not provided in the document, so the assessment of their impacts on existing wildlife habitat and local recreational users was not possible but is of concern.

[194]

Third, your specific goals on redistribution of recreational use are not clear. Is it to reduce boating pressure on the lower lake? If so, then where will you reduce the number of marina slips or boat ramp parking spaces to accomplish this? Where on the northern end of the lake will you then mitigate for this loss? Is your goal to reduce camping pressure on the southern end or to accommodate greater day use such as picnicking and swimming? With any of these three goals, your suggested list of recreation area leases/closures (Table 2-9) appears to be inconsistent with your intention to redirect use to the northern end of the lake and with your stated commitment to improve northern zone boating access and lakewide bank fishing opportunities. Twelve of sixteen sites in that table are located north of Brown's Bridge. You may be considering the closure of only the picnic areas or campsites and not the boat ramps or bank-fishing accesses at these parks, but it is unclear in your text. We recommend that as many boat ramps as possible remain open.

[195]

Lastly, we believe that you have an opportunity to improve boating access to the lake by extending key boat ramps. The past several years of low lake levels demonstrated how boat ramp availability severely limited boater access. The extension of several key boat ramps around the lake would seem to be a practical and economic solution to this challenge. This recreational user need and possible solutions should be better documented in your final EIS.

Specific comments on the DEIS text follow on the attached pages. If you have any questions regarding these technical comments, feel free to contact Assistant Fisheries Chief John Biagi at the address and telephone number above. I have appreciated our longstanding cooperative working relationship with your agency's Lake Lanier staff for decades and do hope that these comments help your scientists and consultants to develop the best plan possible for managing this valued resource.

Sincerely,

David Waller

DW:lc

Attachment

cc: Mr. Erwin Topper  
U.S. Army Corps of Engineers  
Post Office Box 567  
Buford, Georgia 30515

[194]

Because of the proximity of Atlanta and Gwinnett County to the southern portion of the lake, we agree that redistribution of use will pose a challenge. However, the redistribution of use has been proposed as one method for reducing the intensity of use of the finite recreation facilities on the southern portion of the lake. The text in the EIS has been changed to no longer include closure of recreational sites.

[195]

The depth of Corps-operated boat ramps are generally determined by lake bottom conditions (i.e., deep drop offs or other obstacles beyond the end of existing ramps).



**Georgia Wildlife Resources Division  
Comments on U.S Army Corps of Engineers - Draft Environmental Impact Statement  
Operation and Maintenance of Lake Lanier**

Executive Summary

- |  |   |       |  |
|--|---|-------|--|
| [196]  | Page ES-4, Line 29: The minimal measures for Operations Level 1 seem to be assumed and are not clearly documented. Would this action level be similar to the no action alternative?   | [196] | The minimal measures would include all the operations and maintenance activities under the no action alternative that have not been noted for improvement or change under the Preferred Alternative as outlined in Tables ES-1 and 2-13.   |
| [197]  | Page ES-7, Island Management: Omit the word "bank" to describe fishing activity on the islands (also on page 2-14, line 21).  | [197] | Text edited to reflect comment.  |
| [198]  | Page ES-7, Island Management: Replace the term "wildlife sanctuaries" with "wildlife conservation areas" throughout your document to better reflect a conservation rather than preservation philosophy. This would support your intent for active timber and wildlife management programs on the project.   | [198] | Text edited to reflect comment.  |
| [199]  | Page ES-8, Section 404 Permitting: We appreciate your efforts to improve littoral fish habitat by promoting the use of riprap, biostabilization, and sediment dredging.   | [199] | Comment noted.   |
| [200]  | Page ES-8, Day Use Park Operations: We are concerned over the potential loss of boat ramps. See our opening remarks. We support the Belton Bridge Park plan and appreciate efforts to promote bank fishing. A list of potential bank fishing improvement sites should be considered for the final EIS.  | [200] | The text in the EIS has been changed to no longer include closure of recreational sites.   |
| [201]  | Page ES-9, Special Events: Define "frequent" rowing events. Boat ramps are limited on the upper Chattahoochee River arm and frequent closures may have a significant local impact on other recreationists. A maximum number of closures should be considered to balance the use of this highly popular ramp. (Also mentioned on page 2-39, lines 11-13.)  | [201] | The word "frequent" is being changed to read "major" rowing events. The text in the EIS has been changed to no longer include closure of recreational sites.   |
| [202]  | Page ES-1 1, Recreation: If there are a finite number of recreation sites, marina slips, and boat ramp parking spaces, we would not expect "increased crowding" as the effect under the no action alternative. For the preferred alternative, we have doubts whether the redistribution of lake use can be achieved. (Also discussed on page ES-13, line 31.)   | [202] | Under the No Action Alternative, the potential for an additional 16,734 boat docks could lead to at least that number of additional boats. Current practices, such as mooring more boats at a dock than the dock is designed to handle, would add even greater numbers of boats on the lake. We agree that redistribution of use will pose a challenge. However, the redistribution of use has been proposed as a method for reducing the intensity of use on the southern portion of the lake |
| <u>Section 2.0: Proposed Action and Alternatives</u> |   |       |  |
| [203]  | <p>Page 2-4, Lines 12-13: The sentence should read, "When surface temperatures reach suitable levels for black bass spawning (low 60s to low 70s in degrees....)"</p> <p>Lines 17-18: Should read: "...creel surveys, <u>fish community sampling, fish tissue sampling for contaminants analysis, investigating...</u>"</p> <p>Page 2-5, Table 2-2: We appreciate the fish and wildlife management initiatives. Volunteers do help with fish shelters, so add check marks to the appropriate cells. Starting with line 9, change to "<u>DNR conducts annual goose counts, regulates hunting seasons, and assists with nuisance abatement when necessary. The Corps conducts scare tactics to disperse geese away from high activity areas. The summer 2000 Canada goose population estimate of 1,700 on Lake Lanier was below the stated minimum target level of 2,000, which is deemed unacceptable due to nuisance problems.</u>" The Corps does not capture and relocate Canada geese.</p> <p>Page 2-6, Line 1 – Change to "<u>Wildlife nest structures including wood duck and bluebird boxes are maintained annually on Lake Lanier.</u>"</p> <p>Line 2-Change to "...and remove <u>domestic</u> nonnative ....."</p> <p>Line 3-Change to "...hybrid <u>domestic</u> species."</p> | [203] | Text edited to reflect comments.   |

- [204] Line 5 & 6-Change to "...control of domestic species, Lake Lanier...."  
Line 7-Omit "As a part of wildlife management,"  
Line 9-Omit "by using volunteers"  
Line 12- 1. 5-Rewrite to say, "Hunting on Lake Lanier is limited because of the lake's high density off shoreline, housing and the potential for conflict between hunters and other lake users. The only hunting permitted on Lake Lanier is waterfowl, small game, turkey and archery deer hunting in Don Carter State Park along the Chattahoochee River."  
Lines 16-24-Rewrite to say, "Waterfowl hunting for Canada geese and ducks is allowed during the state hunting season. All state and federal waterfowl regulations apply on Lake Lanier (see Late Season Migratory Bird Regulations). Waterfowl hunting is allowed in the following campgrounds, which are closed on a seasonal basis: Shoal Creek, Chestnut Ridge, Old Federal, Duckett Mill, Bolding Mill, War Hill, Shady Grove, Sawnee, and River Forks. Waterfowl hunting is allowed in the seasonally closed portion of the following du-use recreation areas: War Hill, Keith's Bridge, Long Hollow, Six Mile, Athens Park, Lumpkin County Park, and Bethel Park. Hunting areas are subject to change based on Corps and Georgia DNR' recommendations."  
Lines 25-29-Rewrite to say, "Lake Lanier has licensed 513.5 acres to Georgia DNR to manage as wildlife habitat. Hunting is permitted in the area known as The Lula Bridge Tract. Georgia DNR also leases the 274.5-acre Corps property that is contiguous to the state-owned Don Carter State Park. Both areas are north of Gainesville along the upper Chattahoochee River."  
Page 2-10, Line 5: Change to "... is a year-round trout stream that sports both wild and stocked fish. Georgia DNR..."  
Page 2-14, Line 21: Delete the word "bank."  
Line 23: Change to "...islands as wildlife conservation areas through..."  
Add additional PMO measure-(3) Explore the establishment of archery deer hunting to control over-abundant deer populations on the islands.  
Page 2-17, Line 4: Change to "Forest health, timber, wildlife habitat, air..."  
Line 20-Change to "by permit. The Corps will conduct vegetation management, including timber harvest, as needed to maintain forest health and control invasive exotic species. Clearing to obtain..."  
Page 2-19, Line 22: Change to "... around the lake or their placement as fish habitat."  
[205] Page 2-26, Line 9: More details are needed on developing northern campgrounds in order to assess their effects.  
[206] Page 2-29, Table 2-8 (Actions Proposed for Day Use Parks) - 1) It is not clear what a "staging area" is for fishing tournament events at Little Hall Day Use Area. Would this include a weigh-in station and/or fish release site? 2) Does the term "launching area" mean boat ramp? 3) Since three of these locations (Bethel, Little Ridge, and Nix Bridge) are being considered for leasing/closure in Table 2-9, a footnote denoting this is needed at the bottom of this page. 4) On boat ramp improvements, wording should include ramp extensions to mitigate for low lake levels. 5) The proposed development of a canoe and small boat launching area at Belton Bridge Park is positive.  
[207] Page 2-30; line 11-12 - We appreciate the proposal to increase bank angler access and offer a draft list of sites (GAWRD Table 1, enclosed) for Corps consideration and further discussion.  
[204] Text edited to reflect comments.  
[205] Relocated and/or renovated camping sites will be provided in existing recreational areas. Planning for these will be pursued as funding permits.  
[206] 1) In concept, a staging area at Little Hall Park would include utilizing the existing boat ramp facility and the addition of shelter, weigh-in station, and fish holding tanks elsewhere in the park. 2) Text changed to read "boat launching area." 3) A footnote to the table has been added. 4) Specific boat ramp improvements will depend on funding. 5) Comment noted.  
[207] The Corps will evaluate the enclosed list of proposed sites.

- [208] Page 2-30, Lines 5-8: This measure conflicts with the goal of increasing recreational opportunity on the north end of lake. We are concerned that closing all of these parks would have a negative effect on boating access and bank fishing opportunities. For instance, at Wahoo Creek Park, the riprap shoreline at the bridge is a prime bank fishing area for crappie, catfish, white bass, and black bass. If parks are to be closed, the closure should affect day uses such as picnicking, but not public access for continued bank fishing and the use of existing boat ramps at many of these sites.
- [209] Line 13: Add PMO measure, "Promote native plantings in park areas to minimize goose problems."
- [210] Page 2-30, Table 2-9: GA WRD does not have the staff or operating funds available to consider leasing the Belton Bridge or Lula parks. Given the Corps stated goal of increasing recreational opportunities on the northern portion of the lake, and the paucity of boat ramp sites in the upper Chattahoochee River arm, we would expect these sites to be given higher consideration. The Corps should consider redirecting its proposed efforts toward establishment of an education center (Page ES-8) and focus those efforts on maintaining existing recreation sites.
- [211] Page 2-46, Line 18: For the "low lake level" category, the upper limit of 1,056 feet elevation is too low for prolonged drought conditions and high consumption rates. Lake Lanier has experienced drought conditions during the past four years and lake levels have, for the most part, remained above 1,056 feet.
- [212] Page 2-47, Line 12: Change to "...flotation materials, Promote active timber stand improvement with benefit of extra funding and better wildlife habitat."

Section 3.0: Affected Environments

- [214] Page 3-3, Table 3-1: If the total number of 46 boat ramps represents only Corps ramps, add private and leased ramps, since the table refers to all features at Lake Lanier.
- [215] Page 3-3, Line 11: Insert the number of shoreline miles before the word "miles".
- [216] Page 3-5, Public Recreation Areas: The document states, "most of the project is considered available for limited recreational use." However, there appears to be a Corps directive to restrict recreational use at lake access points such bridges due to littering and access problems. Some of these locations (example: Bell's Mill Bridge) are prime bank fishing areas. Limiting or denying access to anglers at these unmanaged sites would have a negative effect on bank fishing opportunities. At the least, there should be documentation in the final EIS concerning any proposed actions to close these areas to the public. Protected shoreline and public recreation areas constitute about 53% of the lake's shoreline. It appears that only a small percentage of this shoreline is really accessible to bank anglers.
- [217] Page 3-6, Line 15: Excellent sentence on public access that needs to be retained in the final EIS.
- [218] Page 3-7, Tables 3-2 and 3-3: There are rounding errors in totals for shoreline allocations.
- [219] Page 3-11; Table 3-4: Should the percent values in Table 3-4 for land use be the same as percent values for land cover on Page 3-9, lines 21-24?
- [220] Page 3-21, Table 3-8: Error in overall total.

- [208] The text in the EIS has been changed to no longer include closure of recreational sites. The sites originally indicated for closure in the EIS will remain available for lease.
- [209] Line 13 comment: It is unclear as to how planting native plants would help to minimize goose problems. More discussion and information would be needed for this to be considered.
- [210] The Corps continues to propose that the Belton Bridge and Lula Park recreation sites be leased to the State of Georgia since the State already has an existing real estate agreement to manage wildlife on other project lands surrounding these parks. At these two sites, the unimpounded Chattahoochee poses physical riverine constraints that create boating needs which are considerably different from those typically provided by the Corps on the downstream Lake Lanier. For these reasons, the Corps believes the recreational boating demands at these sites are more compatible with the scope of the management program practiced by the State on the surrounding lands. Hopefully, the State will be able to program in the future the necessary resources to accept management of these two recreation sites under a lease from the Corps.
- [211] The Corps' involvement in the development of an education center would involve cost sharing. In other words, the Corps would set aside land on which to locate and build the education center. The actual construction of the center would be funded by the county in which it is located.
- [212] The range of elevations for each lake level category is based on modeled elevations presented in the ACF draft EIS. The low lake level is representative of a combination of conditions consisting of high demands on water supply, high consumptive rates, prolonged drought conditions and seasonal fluctuations.
- [213] The management actions suggested by this comment are contained within the document on pg 2-47, lines 8 through 10.

- [214] Text in table edited to reflect comment. There are a total of 83 Corps, private and community-operated boat ramps on Lake Lanier.
- [215] Text edited to reflect comment.
- [216] Due to limited Corps land, steep terrain and traffic safety issues, bridges are generally unsuitable for recreational development. The Corps has no plans to deny bank fishing opportunities at these locations. However, safety issues and access into and out of parking areas will be considered.
- [217] Comment noted.
- [218] Rounding errors have been corrected.
- [219] The text on pg 3-9 has been edited to show the correct values.
- [220] Errors in overall totals have been corrected.

- [221] Page 3-55, Line 10: This section gives the impression that Lake Lanier is heavily overused. Consider rewriting to explain that the lake is heavily overused on weekends during mild weather. For most weekdays and during the off-season, the lake is not overcrowded. In an effort to control summer weekend problems by limiting some permanent access points, the Corps may unnecessarily impact "off-peak" lake users.
- [222] Page 3-59, Line 2: Whose regulations protect the lake buffer? If it is a Corps regulation, then increase the amount of your fine or demand in-kind replacement of the vegetative buffer to protect public property from private encroachment.
- [223] Page 3-61, Line 1: Establish objectives or goals for non-forested land to allow you to write a plan to meet them.  
Line 10-Delete sentence "Big game hunting is not a major activity on lands adjacent to the lake." This sentence is in error.  
Line 11-Change to "occurs on the lake in September, November, December....."  
Page 3-61, Line 22 - Omit "yellow perch" as a popular sport fish species in Lake Lanier and move the term to Line 24.  
Page 3-16, Line 24 - Inserted "blueback herring" in place of "minnows" in sentence.
- [224] Pages 3-61 (Lines 26-30) and 3-62 (Lines 1-2): Contain many inaccuracies. Replace with: "In the mid 1960s Georgia DNR established a two-story coldwater trout fishing in the lake (Weaver and England 1982). Annually stocked rainbow trout (*Oncorhynchus mykiss*) survived in the deep, cold oxygenated zone not normally occupied by warmwater species, and thus improved the quality of the sport fishery. The trout stocking program, however, was discontinued in 1987 after it became apparent that the lake could no longer support significant trout survival through the summer stratification period, when dissolved oxygen levels dropped too low in the metalimnion and hypolimnion. Stripe bass can tolerate slightly warmer water temperatures and slightly lower dissolved oxygen levels than trout, and have since filled that cool water niche. The current striped bass fishery is sustained through annual stockings of fingerlings produced at GAWRD hatcheries. As a result of hypolimnetic releases from Buford Dam, a significant trout fishery does occur in the first 45 miles of the Lake Lanier Tailwater. The trout fishery is sustained through stockings of hatchery-raised fish By GAWRD and the US Fish And Wildlife Service to accommodate high angling pressure. The federal stockings are considered mitigation for the negative effects of the Buford Dam Project on the native fish community and sport fishery."  
Page 3-72; line 21 - Insert "roadway bridges" as potential spill sites.
- Section 4.0: Consequences
- [225] Page 4-6, Line 5: "Wildlife habitat around the lake would continue to decline as more homes were built." More significant access improvements or recreation areas built on the northern end of the lake could also degrade wildlife habitat.
- [226] Page 4-7, Lines 13-28: These are broad, optimistic statements that may or may not be supported by your analyses. Some of your conclusions regarding boating and dock density as a result of the preferred alternative seem to be well supported. Some of your other determinations, however, are not. For
- [221] The text in the EIS has been changed to no longer include closure of recreational sites. The sites originally indicated for closure in the EIS will remain available for lease.
- Text has been revised to reflect greater use of the resources during the weekends.
- [222] The Corps' regulation as described in the Shoreline Management Plan protects the lake buffer. Options are being considered to increase the level of protection afforded to the lake buffer. There is currently a regulation for in-kind replacement using native vegetation, but enforcement has not always been successful
- [223] The Corps has prepared a 5-year Operational Management Plan that addresses the management of all lands, forested and non-forested, on Lake Lanier. This plan specifies management goals and objectives and is updated annually.
- [224] Text edited to reflect comments.
- [225] Agree. The construction of addition recreation areas and associated access improvements would have some effects on wildlife habitat. Therefore, the Corps would take great care in their design to minimize habitat destruction. Development of private lands surrounding Lake Lanier will undoubtedly adversely impact wildlife resources.

- [226] cont. example, if boat ramp facilities were indeed increased on the northern end of the lake, recreational users may benefit. However, the only specifics in the document suggested that some northern boat ramps may instead be closed. If recreational developments were extensive on the northern end, terrestrial wildlife habitat could suffer, instead of benefit, as you claim. The level of expected disturbance is undefined. The statement, "Expanded opportunities for rafting, kayaking, and canoeing" seems to be supported in the text only by the suggestion to build a canoe ramp at Belton Bridge, which is on your list of sites to be leased or closed. Therefore, that conclusion appears weak. Once again, we are also somewhat skeptical of the conclusion that recreational effort can indeed be redistributed more evenly across the lake. Consider a more careful analysis of your preferred alternative.
- [227] Page 4-15, Line 14: Specifics are needed.
- [228] Page 4-32, Table 4-7: The statement, "Developing both the northern and southern portions..." is not a "no-action alternative." "No action" would consist of leaving the northern end alone, and possibly assigning visitor quotas to your southern recreation sites because you would not develop them any further.
- [229] Page 4-33, Lines 3-15: Excellent analysis.
- [230] Page 4-35, Table 4-8: A small marina at War Hill Park, with fuel pumps, would likely benefit northern lake users and DNR Law Enforcement patrols. A large marina could accelerate congestion and user conflicts in this lake section.
- [231] Page 4-38, Line 17: This sentence is confusing.  
Line 20: Is the problem the amount of the fine or limited staff resources to enforce the regulation?  
Lines 24-26: These sentences lend support to maintaining sport hunting as a recreational activity on the project.
- [232] Page 4-42, Table 4-10: This table should include an assessment of recreational development on the northern end of the lake.
- [233] Page 4-50, Lines 10-18. The water quality data used in Appendix J are too sparse and were collected during different months, which negates much comparability. Therefore, conclusions on water quality trends based on these analyses are weak. We are most concerned with the impression given that dissolved oxygen in Lake Lanier may increase over time. An important factor in the biological health of Lake Lanier and its tailwater is the dissolved oxygen level in the metalimnion and hypolimnion, not simply the oxygen level in surface waters. The cool water habitat for striped bass in the lake and for trout in the tailwater depends on the maintenance of dissolved oxygen in the deep, winter-stored water through the summer and fall. This concept should be discussed more thoroughly in the document. Granted, the effects on lake oxygen levels from the no action or the preferred alternative are very minor when compared to effects of watershed inflow, so a comparison between alternatives should not show a significant difference. The concept of oxygen demand in deeper layers of the lake should be presented in the EIS to highlight the importance of watershed protection and nutrient management in maintaining the ecological health of the lake.
- [234] Page 4-52, Lines 29-30: Change to "...deer that currently exceed normal carrying capacity in certain locations."
- [226] Because of the proximity of Atlanta and Gwinnett County to the southern portion of the lake, we agree that redistribution of use will pose a challenge. However, the redistribution of use has been proposed as one method for reducing the intensity of use on the southern portion of the lake.
- [227] Specific information on the funding of development in the northern area of the lake is not available at this time.
- [228] The no action alternative includes the potential for development of recreational areas in the northern and the southern portions of the lake as described in the Master Plan. Actual development of facilities would be based on availability of funding and need.
- [229] Comment noted.
- [230] Users of the northern portion of the lake have expressed a need for marina services. However, the proposed leasee has indicated that there is no longer an interest in War Hill Park. Consideration needs to be given to the size of any marina that might be developed in that area of the lake.
- [231] Text has been edited to eliminate confusion. Penalties imposed for the illegal cutting of vegetation have been largely unsuccessful because the fine for minor violations is relatively insignificant. In addition, there are limited staff resources for enforcement. For many residents, the fine is insignificant. The Corps is currently instituting alternative methods to obtain compliance, such as revocation of Shoreline Use Permits for noncompliance.
- [232] Text was revised to assess impacts resulting from recreational development on the northern end of the lake.

- [233] There was a statement at the beginning of the Appendix J that the data is limited and that only generalized statements may be made. With that qualifier, the results of the modeling effort showed that the range of DO concentrations has increased (swings from high to low concentrations) which is an indication of possible increased productivity (eutrophication). When there is increased productivity in the epilimnion, depressed DO concentrations occur in the hypolimnion. There is no trend other than widening of the range in DO concentrations. There is no increasing trend DO concentration in Lake Lanier. There was the error on page 4-50, line 9-10 claiming an increase in DO. Sentence has been edited to read:  
“Development would have the most direct influence in creating adverse effects to water quality due to decrease in concentration of dissolved oxygen and increases in concentrations of total phosphorus, and total nitrogen.”
- [234] Text edited to reflect comment.

Appendix H: Modelin

[235] Page H-11: It is hard to believe that the dissolved oxygen concentration in the bottom of the lake is 12 mg/l, as stated.

Appendix J: Water Quality

[236] Page J-1: The "lumping" of water quality data may be too simplistic of an analysis in this case and may lead to errant conclusions.

[237] Page J-2, Physical Characteristics: We suggest that you write "state" water quality standard if that is what is implied.

[238] Page J-4: Chestatee River Headwaters - the two water quality stations are too dissimilar to allow their grouping to assess water quality in this lake section.

[239] Pages J-8, J21-26: See our comments regarding page 4-50.

[240] Page J-27; Station 12040001 - The document states that no dissolved oxygen data are available for this sampling site. However, dissolved oxygen data are recorded for this station in the tables J-2, and J-9.

Table 1. Potential sites on Lake Lanier for new or improved bank fishing access.

Enhancements for shoreline fishing may include adding trails to non-accessible areas, improving existing roads that are now gated, adding fish attractors/fish habitat and fishing piers.

1. Charleston Park
2. Thompson Creek Park
3. Lumpkin County Park
4. Robinson Park
5. Longwood Park
6. Clarks Bridge
7. Mountain View Park
8. Lake Lanier Islands
9. Lanier Point Park (island peninsula/COE land)
10. Chattahoochee River Park

[241] Non-recreational park sites where access and fish habitat can be enhanced.

1. Six-Mile Creek Bridge (riprap areas)
2. McEver Road at Flowery Branch Road crossing
3. Browns Bridge (Hall County side)
4. Cove upstream of DNR office on Highway 53 (old roadbed)
5. Limestone creek along Highway 284
6. Mud Creek above Belton Bridge
7. Bells Mill Bridge area
8. Wahoo Creek Bridge (riprap areas)

[235] This statement was an error and has been deleted.

[236] The limited amount of data restricts the use of any higher level of analysis.

[237] Text edited to reflect comment.

[238] Station 2333500 is a riverine station. Station 12036501 that is located at the top of the Chestatee River Arm of Lake Lanier experiences lake effects. Although the stations are dissimilar hydraulically they can be used to assess the water quality of the Chestatee River when it enters Lake Lanier.

[239] See response to comment for pg 4-50.

[240] Text has been changed to read:  
 "The range in dissolved oxygen has remained comparable. Both phosphorus and nitrogen concentrations have increased, and pathogen levels have decreased."

[241] The Corps will evaluate the list of proposed sites.



[241 cont.]

9. Squirrel Creek at Highway 60
10. Back of Ada Creek
11. Sardis Creek at Sardis Road
12. Johnson Creek at Chestatee Road
13. Thompson Creek at Highway 53
14. Two Mile Creek Bridge (west side)

The following comments were submitted via e-mail through the online comment form on the Lake Lanier EIS web site (www.usacelakelaniereis.net). These electronic comments appear below, in alphabetical order by last name of the commenter, exactly as they were received. Anonymous comments are provided at the end of the table.

Commenter ID No.	Comment ID No.	Comments	Responses
Charline Acosta	242	<p>Will boats be able to moor to platform docks? Ex. I have a 18 foot boat but my platform dock is 12x10.</p> <p>The ranger on scene was unsure how that would be handled.</p> <p>I want to be able to continue mooring my boat to my platform dock. I was advised when I applied for the dock permit that I would be able to moor a boat there and bought a boat based on that information. In my situation, living on the lake and keeping my boat in the water, I do not use the lake during heavy traffic time. It more appealing to me to go out a hour or two during low use times and if I get out and the crowds are there it's no problem to come back home. If I was burning time putting in and taking out at a ramp I would be more incline to stay on the lake to make the travel to/from the ramp worth wild.</p>	Yes. See SMP sec 15.2 Site Requirements page 17.
Tommy Bagwell	243	I have had a 100' boat at a private dock on Lake Lanier since 1975, and considering the great expense of building a new heavy dock in 1999, I would request that my boat be grandfathered.	All Shoreline Use Permit/Licenses are issued for a maximum of a five-year period. The permit may be reissued when the current term expires if the permitted facilities and uses of public land are in compliance with the conditions of the permit. When reissuing permit privileges, prior permitted activities were often "grandfathered".
	244	On this next point I may sound a little belligerent, so I will first point that I have been a great friend to the corps., to the govt, to charities, and to the community by allowing my vessel the Amistad to be used for vip tours, promoting north Ga., rasing money for charity, as well as rewarding people for public service. Having said that I would like to bring up the issue of the 1085 line that is involved in the flood easements. I have talked with people that were not allowed to build a pool on their own property. why? I have talked with people who were told they could not build a driveway on their own property why? Also the poor lady on six mile creek who had her home condemned on her own property just because it was below the 1085' line, was this true? If the issue is that the corps. might get sued, then the property owner could be req. to sign a release.	In some areas where the flood elevation occurred on private property, a perpetual flowage easement was purchased. These lands remain private property, but have restrictions placed on their use. A flowage easement is a real property interest that allows the Corps to occasionally flood private property. This restricts the private owner from constructing habitable structures and prohibits alteration of the existing contour. The Corps can evaluate specific requests for the construction of facilities within flowage easements. Facilities that do not comply with the rights purchased cannot be authorized.
	245	Regarding set backs: I would strongly support the corps. right to insist on the removal of someone's deck or any thing built on govt. property. However I will strongly oppose any efforts to legislate set backs from public property.	Comment noted.
	246	The amount of lake frontage and amount of open water (ie. not a narrow cove) on a person's property should be considered when regulating the size of boat allowed at a dock. For example a 100 ft. boat on a property with in 1000'of frontage on open water, presents less of a problem than a 30 ft boat on a 100' lot in a narrow cove.....By the way my property has well over 1000' of frontage.	Text in the SMP has been changed to read as follows: "In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities. All vessels moored at private docks must belong to the permittee and in no case shall a vessel be moored to another vessel."

Commenter ID No.	Comment ID No.	Comments	Responses
	247	The taking away of a dock permit could amount to a hugely excessive fine for a minor infraction. To explain: a lot with no permit vs one with a permit could be worth 100,000 dollars less money. so if a person cut one small tree and lost their permit it could cost them 100,000dollars. I would strongly urge the corps. to have some way of defining the degree of damage that would result in some type of penalty that would reflect or match the seriousness of the offence.	Numerous options exist in the enforcement of permit issues and violations of federal regulations. The revocation of permits is just one of them.
Mike Burgess	248	I agree that we should limit the number of docks to the approximately 10,100 as proposed. Preserving the lake and the much of the remaining natural shoreline is important. It would also enhance navigation and safety on the lake.	Comment noted.
Al Burns	249	I have been fishing Lanier for many years. It has got to the point that there is too much boat traffic on weekends and it is too dangerous to fish. I think there needs to be size limits and speed limits on the lake. When I go out fishing on a Monday, the water is full of bottles, cans and other trash from the weekend users I see high speed racing boats running 60-70 mph at night. There needs to be more patrols, night and day on weekends. Let the boaters pay for it in launch and docking fees. This would help pay for clean up too.	<p>The Corps does not have the authority to regulate the size of boats on the lake, and speed is regulated by the DNR. The intensity of patrolling is influenced by manpower and funding limitations for both the Corps and GA DNR.</p> <p>Volunteers routinely conduct shoreline clean-ups around the lake. The Corps does not have the manpower nor the funding to routinely pick-up trash in the waters of the lake.</p>
	250	I agree that there are too many boat docks but, they do provide cover for fish. I catch some nice ones under them. However, there are far too many in disrepair or abandoned. These are eyesores and a hazard to navigation when they break loose. I think the Corps of Engineers should vigorously enforce the removal of abandoned docks, and the upkeep of docks. I think all docks regardless of age should be made to replace the floats to the ones that are sealed in black plastic. I see a lot of styrofoam pellets floating in the water and the shores will be white with the pulverized styrofoam.	The proposed Updated SMP incorporates an inspection program intended to improve the condition of private docks by identifying deficiencies needing correction. See SMP sec 15.4 page 25.
Jesse Carter	251	I am opposed to any restrictive changes to permitting boat docks. The land my family owns has been in our family since before the lake was built. The land, held as an investment, was capable to have a boat dock for each buildable lot if the shoreline and water depth permitted. The new plan is in effect private condemnation of a lake owners previous rights or privileges. One could quite possibly prove, if necessary, that the lake level has been intentionally kept below 1063 thru releases to other lakes to prevent additional boat dock permits from being issued until this EIS study becomes law. I agree that environmental issues are a concern but assert that lake lot owners have a vested interest and are not the culprit. On numerous occasions I have seen municipalities grade and move dirt without silt fences or other protective measures. I understand they are exempt from the standards that are imposed to everyone else. My issue is simple. Lake Lanier's health is not negatively impacted by boat docks but rather by irresponsible actions of municipalities and land developers (SILT).	<p>The development of private property is beyond the Corps jurisdiction. It is the Corps responsibility to manage the resources entrusted to it. The no action alternative would allow over 25,000 docks on the lake, which could degrade the lake and public property. The preferred plan would limit the total number of docks allowed on the lake in the interest of preserving the quality of the lake's resources for the benefit and use of the public. The preferred plan, which would limit the number of docks on the lake, is consistent with Corps regulations to protect the quality of the lake's resources for the benefit and use of the public.</p> <p>Lake levels are controlled by many factors one of them is not issuance of private dock permits.</p>
	252	If we are truly concerned about the lake, let spend our efforts in productive areas: 1. A lake dredging program. 2. Prevent waste water discharges into Lanier. If they claim it is clean enough to be put back into our drinking water source; then why pump it back into the lake, tell them to recycle and drink it!	Comments noted.

Commenter ID No.	Comment ID No.	Comments	Responses
<b>Dave Casper</b>	253	<p>As a Realtor in the area, I am concerned about the economic impact of the proposed changes concerning boat docks. First is the proposal to reduce significantly the number of new boat docks permissible. When selling a lake front lot without a dwelling, the ability to have a boat dock substantially increases the selling price of that lot (by 200% or more in most cases).</p> <p>With the amount of land around the lake potentially available for sale, if many of the lots are reduced in value due to inability to get a boat dock permit, this will contribute to the already slumping economy. I would ask that the boat dock permitting process remain as is.</p> <p>Secondly, the proposal to require community docks in all new subdivisions will have a similar effect on lowering the value of lots, though not as drastically. I would ask that this requirement be on a case by case basis, rather than for all new developments. Thank you for your consideration.</p>	<p>Comment noted. However, the purpose of this plan is to protect the project for the general public for years to come. As a public agency we cannot sacrifice that goal to preserve the speculative value of adjacent private lands.</p>
<b>Maurice Chapman</b>	254	<p>Grass and weeds will survive without fertilizer but not without sunshine. If existing grassy areas on corp land is not mowed, it will become thick with small trees. Within a few years the grass will not have enough sunlight to survive. Without the existing grass, more soil erosion will result.</p> <p>Ban the use of fertilizer and pesticides on Corp land but continue to allow mowing to help control soil erosion.</p>	<p>Because grass is not a high quality vegetative buffer, it is project policy to restore grassy areas to a more natural state. When such areas are not maintained and woody vegetation has reestablished itself this portion of the permit will not be renewed. During changes of ownerships minimization of permitted mowed areas will be encouraged to help protect the lakes water quality. Natural vegetation will provide sufficient protection from erosion.</p> <p>Broad uses of chemical agents such as pesticides are not authorized on Corps lands. Chemical products such as pre-emergence, weed killers, fertilizers, growth retardant, etc., may not be used on public lands. However, some topical application to control noxious or nonnative species may be allowed under rigid control via a Specified Acts Permit. The use of such products on private property must not affect adjacent public lands or waters.</p>
	255	<p>Reduce the number of existing boat docks by not allowing any one household to have more than one private boat dock.</p>	<p>In the current and proposed SMP permits are limited to one per household membership. This does not preclude an individual from purchasing properties with existing permits.</p>
<b>Grena Chapman</b>	256	<p>Grass and weeds will survive without fertilizer but not without sunshine. If existing grassy areas on Corp land is not survive. Without the grass, more erosion will result.</p> <p>Ban the use of fertilizer and pesticides on Corp land but continue to allow mowing to control erosion.</p>	<p>Duplicate comment. See response to comment no. 254 above.</p>
<b>Tom Corbin</b>	257	<p>Don't incorporate "zero tolerance" into program, but allow the Corps to use judgment for exceptional circumstances.</p>	<p>It is not clear to what this comment refers. A search of the document for the phrase 'zero tolerance' yielded no results.</p>

Committer ID No.	Comment ID No.	Comments	Responses
	258	I note a set maximum number of docks are proposed. Use this as a projected upper limit, but don't consider this a hard number. Permit docks based upon the conditions of the shoreline for each request and not on linear feet of shoreline. Note that a convex shore can accommodate more docks than a concave shore.	The methodology used to determine the number of potential boat docks as described in Appendix D is based upon guidance found in ER 1130-2-406 which states: "The density of facilities will not be more than 50% of the Limited Development Area (LDA) in which they are located. Density will be measured by determining the linear feet of shoreline as compared to the width of facilities plus associated moorage arrangements which restrict the full unobstructed use of that portion of the shoreline."
	259	Regarding septic tank certifications; if implemented, in addition to County Health personnel to certify systems, allow other qualified individuals e.g., septic system installers or civil engineers or soil scientists. Possibly, allow a copy of an invoice that the system has been cleaned and inspected.	A number of alternatives for septic tank certification are currently being considered, including those mentioned in the comment.
	260	1) Allow mowed areas to remain. 2) Encourage but not require vegetative or structural shoreline stabilization as a requirement for dock permits. Perhaps reduce the permit cost if improvements implemented.	1) Because grass is not a high quality vegetative buffer, it is project policy to restore grassy areas to a more natural state. When such areas are not maintained and woody vegetation has reestablished itself this portion of the permit will not be renewed. During changes of ownerships minimization of permitted mowed areas will be encouraged to help protect the lakes water quality. 2) Shoreline stabilization measures (riprap) may be required with the issuance of new permits that require fixed steps or are located on sites already significantly affected by erosion.
	261	Allow (encourage?) clearing of nuisance vegetation such as poison ivy and honeysuckle.	Some topical application of pesticides to control noxious or nonnative species may be allowed under rigid control via a Specified Acts Permit.
	262	With growing population, additional campsites in the north end of the lake will be welcome, however, do not close existing sites at the south end of the lake. The south end has more water surface area per linear foot of shoreline and can support more people.	The text in the EIS has been changed to no longer include closure of recreational sites.
	263	Not sure what category this falls into or what if anything should be done, but just a note that large cruisers (maybe 40 feet and up) create huge wakes that erode the shoreline and can damage docks and moored boats.	The Corps agrees that wakes have the potential to erode the shoreline. State law requires idle speed within 100 feet of all ramps and 'no wake' zones are also posted around ramps and marinas.
	264	Additional lake accessible restaurants would be welcome - especially at the north end of the lake.	The public has indicated the need for services such as fuel service, boat storage, restaurants, etc.

Commenter ID No.	Comment ID No.	Comments	Responses
Frans De Vliever	265	<p>Currently there are problems with how the Corp or Engineers issue dock permits and shoreline management. We own property in a yellow area and of course we cannot get a dock permit. However, the yellow or "green" area on and around our property is nothing more than a rats nest full of beetle infested pines and deep undergrowth laced with garbage. We do not believe this is how the original designers saw the lake. We suggest permits be issued in a new manner. Issue permits for community docks only - allowing docks with 4 to 20 slips. These docks should be built and maintained to corps standards. In return for the dock permit, communities would be required to clean shoreline areas, replant trees and other natural vegetation, provide bird feeders and other items that the corps feels will bring back the natural beauty and wildlife around the lake. We were told by a member of the corps at the public meeting on 11/25/02 "that mother nature will take care of the shoreline". That reflects how out of touch we all are about this beautiful area, we expect everything to magically get fixed. Without the corps and the community working together nothing will improve. If a proactive approach is not taken, let us assure you that our children will be confronting the same issues 20 years from now. As a side note we feel the meeting last night was to give the locals a chance to talk so they will feel better. This will keep them quit for a little while. Sometimes the corp acts as though the public is the enemy. Folks let us remind you that working together is the only answer. Judging from the look of the shoreline and condition of the water the corps needs the help of all to correct the problems on Lake Lanier.</p>	<p>An important environmental stewardship goal of the Corps is to manage the lands surrounding Lake Lanier in such a manner as to provide natural habitat typical of the north Georgia region. This means that a variety of conditions will be periodically experienced and observed by lake visitors on project lands that are created in response to the effects of disease, weather, and aging of natural ecosystems. However, the accumulation of trash and other debris of anthropogenic origins on project lands is an undesirable condition. The Corps agrees that it is important to develop effective working relationships with local communities, organizations and adjoining properties. To this end, the Corps regularly participates in numerous activities that are beneficial to both the lake and the surrounding communities. One of these is the annual "Shore Sweep" of Lake Lanier's shoreline to remove unsightly debris. The Corps welcomes the assistance of all volunteers in this and other similar programs that enhance the aesthetic quality of the lake.</p>
James Dekle	266	<p>Septic Systems – Requiring any adjacent property owner seeking to renew a Shoreline Use Permit for a private boat dock to indicate whether his or her residence uses a septic system that is located on public property above elevation 1,085 feet MSL. If so, the property owner must show proof that the septic system tanks were inspected and certified that the system has been pumped out at 5-year intervals and is functioning properly. County Health Department officials can provide this certification upon request. In addition, all septic tanks below 1,085 feet MSL on public property will be removed. Page ES-7, Table ES-1 Issues:- "The LLA strongly supports standardization for the inspection of septic systems. Should the Corps verify whether or not these systems are on Corps Property" I agree with the position of the LLA.</p> <p>I do not believe there is any logic nor is it right to tie these provisions to the permitting process. Each needs to stand on its own and be something that the owner can challenge on its own merits, not something that can be used to coerce compliance. What would you propose the homeowner do if he disagrees - pull his dock out and put it in his front yard while appealing? Lots of problems with your solution.</p>	<p>Comment noted.</p> <p>Homeowners must provide septic system certification documents from the County Health Departments. If the system fails to pass county inspection and replacement is required then the homeowner must comply with the county requirements to replace the septic system on private property.</p>

Commenter ID No.	Comment ID No.	Comments	Responses
	267	<p>In reference to: 15.3.14 Furniture, Decorative Items and Garden Plants, Etc.</p> <p>I believe there is no sound reason why a chair should be permitted but a hammock not permitted as a piece of furniture. Both are removable, both can be used to sun oneself and no one would consider a hammock evidence of permanent habitation. It's just stupid government regulation.</p> <p>In respect to the banning of security cameras, what possible logic could there be for that? Many find that this type of system is helpful in monitoring their children on the dock, watching their boat, etc. If you will allow a telephone, then why not video device? More bureaucratic nonsense. If the intrusion is no more intrusive than a jet ski, a telephone, a chair or a hydrohoist, then why not permit it? Has there ever been any incident where a video system on a dock has been a problem? How about a boat burglar alarm?</p> <p>Let's remember the users are supposed to use their docks!</p> <p>I would like to make it clear that these comments are my own personal ones and do not necessarily reflect the opinions of any organization or business.</p>	<p>Hammocks are typically tied to the dock structure over narrow walkways and effectively limit access where located.</p> <p>Lake visitors have the right to be free from any type of electronic surveillance while recreating on public property.</p>
	268	<p>Encouraging those with grandfathered authorization to mow to cease mowing project lands. Page ES-6, Table ES-1: I disagree with this as mowed grass has been an accepted method of erosion control, requiring people to change long established practices without compensation is just wrong. This is particularly true when taken in the context of the huge damage done by sewage and sewer discharge of added nutrients like phosphates the Corps is strangely silent about!</p>	<p>There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than grass. See Section 19, <i>Buffer Zones</i>, of the SMP.</p>
	269	<p>Requiring that owners plant natural vegetation or install riprap or other shoreline or bank stabilization measures when applying for a new Shoreline Use Permit, renewal of a Shoreline Use Permit for a private dock or community boat dock, or upon granting or renewing USACE out-grants. Page ES-7, Table ES-1.</p>	<p>Text indicated in comment and located in Tables ES-1 and 2-13, and pg 2-9, lines 10 –15 has been changed to read as follows: "Shoreline stabilization measures (riprap) may be required with the issuance of new permits that require fixed steps or are located on sites already affected by erosion." The installation of riprap will not be required for all permits. See Section 15.2, <i>Site Requirements</i>, of the SMP.</p>
	270	<p>This is a burden that should be shared by all users of the lake, including water withdrawal permits by municipalities downstream. Why doesn't the Corps seek a tax and use permit for all boaters and swimmers and a water removal and discharge fee to municipalities to fund these improvements? Asking property owners to do it is irresponsible and impractical as many may not be able to afford it.</p>	<p>This requirement is to offset erosion directly related to issuance of individual shoreline use permits. Therefore the cost of any erosion control measures should be borne by the individual permittee.</p>
<b>Art Domby</b>	271	<p>A set standard of 1085 above MSL for proof of proper operation of septic systems (page ES-7, Table ES-1) should have alternate standards based on distance from lakeshore. In other words, 1085 above MSL or XXX distance from lakeshore at full pool should be the standard. XXX should be set by knowledgeable hydrologists, taking into consideration the typical soil characteristics around the Lake.</p>	<p>The objective is to manage septic systems encroaching on public property and to eliminate the flood hazard to septic systems. Elevation is the controlling factor in a flood and not the distance from waters edge. An elevation of 1085 is the top of the flood pool.</p>
	272	<p>Mowing, clearing and thinning of vegetation, as well as fertilization and herbicide applications, should be prohibited on project lands. (Page ES-6, Table ES-1). Unaltered project lands can serve as a better filter for runoff and eliminate nutrient/herbicide loads.</p>	<p>Comment noted.</p>
	273	<p>An effective enforcement program should be developed for violations of Project regulations, including forfeiture of permissive uses (e.g. revocation of dock permits for repetitive violations of significance).</p>	<p>Comment noted.</p>

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	274	Current standards, combined with a limit on additional docks and community docks for residential subdivisions, should address the issue of total docks (and associated uses/water quality impacts). Conversion to community docks is problematic due to existing land use patterns around the Lake. COE should work with Counties to implement County-based zoning/rezoning/overlay district restrictions.	The Corps has worked with counties in the past to resolve property problems and will continue in the future.
<b>John J. &amp; Christoph Durand</b>	275	•The proposed regulations regarding the maximum number of additional dock permits to be issued favors the immediate race of developers and landowners for securing dock permits. Such a race would encourage development rather than control it and would be counter to the desired outcome. It would also allow all the allocated permits to be used up on a first come basis while penalizing property owners who have held and conserved their lakeside property for years in it's natural state and would like to continue to do so without losing the ability to benefit from a controlled, dock permitable, development in the future. Certain adjacent owners may wish to develop their frontage after all the permits have been issued, and though their lots have met or exceeded all the necessary criteria for obtaining dock permits, would be precluded from doing so. The EIS and/or Boat Dock Capacity Study does not adequately address this issue.	The new requirements are made for the benefit of the resource and not to benefit one group of property owners over another, although ultimately all adjacent owners and lake users will benefit from the results of a long range plan and controlled shoreline development. Boat dock permits are issued on a first come-first serve basis.
	276	•Placing a limit on the total number of dock permits to be issued will change the development characteristics of adjacent property. The EIS assumes that if boat docks are not permitted, adjacent land will not be developed (EIS Section 4.2.1) and further states that conversion of forestland to residential lots can increase pollutant loadings (4.2.1.1). There is no basis for this assumption as adjacent property will still be developed, possibly at a faster rate due to a greater number of lower priced lots resulting from the elimination of frontage restrictions necessary to obtain dock permits. As soon as the dock permit limit is reached, lakeside developments will be based on density of housing rather than density of private dock facilities. Without the larger lots that almost always result from private dock permit allocations, the shoreline will be burdened more severely due to denser adjacent development and uncontrolled use. The EIS and/or Boat Dock Capacity Study does not adequately address this issue.	The development of private property is beyond the Corps jurisdiction. It is the Corps responsibility to manage the resources entrusted to it. The no action alternative would allow over 25,000 docks and inarguably future degradation of the lake and public property as a result. The preferred alternative may well encourage high-density private development. However, the adverse impacts of such development could be reduced by effective erosion control, storm water management and improved vegetative buffers.
	277	•The Private Boat Dock Carrying Capacity Study shows no justification for placing a cap on the number of private boat docks. The study failed to report any negative environmental impact resulting from boat dock use other than scenic attractiveness. Page 31 of the capacity study states however, "Conceivably, docks well integrated into a landscape could improve scenic attractiveness." Such a cap on number of docks allowed could have devastating economic repercussions to long time large tract owners. The EIS and/or Boat Dock Capacity Study does not adequately address this issue.	The methodology used to determine the number of potential boat docks as described in Appendix D is based upon guidance found in ER 1130-2-406 which states: "The density of facilities will not be more than 50% of the Limited Development Area (LDA) in which they are located. Density will be measured by determining the linear feet of shoreline as compared to the width of facilities plus associated moorage arrangements which restrict the full unobstructed use of that portion of the shoreline." This study, and the related regulation, do, in fact, provide justification for the cap on the number of private boat docks.



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	278	<p>•No consideration has been given to long time adjacent property owners who have preserved their property undeveloped allowing all to enjoy while still paying highest and best use property taxes based on future potential with private boat docks. Not a single focus group (or members of any focus group) represented large tract owners with permissible frontage. The value of their property is directly proportional to the ability to obtain private boat dock permits and will see severe negative impacts as a result of the elimination of this development potential. The EIS and/or Boat Dock Capacity Study does not adequately address this discrimination issue.</p>	<p>The new requirements are made for the benefit of the lake's resources and the general public and not to benefit one group of property owners over another. Although ultimately all adjacent lake owners and lake users will benefit from the results of a long range plan and controlled shoreline development.</p> <p>Boat dock permits are issued on a first come-first serve basis without regard to speculative value. Focus group members were selected from a wide range of lake interests including numerous experienced developers of adjacent residential communities. It is believed these individuals represented the interests of property owners and the value issues associated with adjacent property.</p>
	279	<p>•The Private Boat Dock Carrying Capacity Study shows no justification for favoring community boat docks over private boat docks. Though community docks may be favorable in some situations, their use or non-use should not be dictated in the SMP as such stipulations could have huge repercussions on adjacent land values. The currently proposed SMP states that community docks are to be required in all new residential developments. The EIS and/or Boat Dock Capacity Study shows no justification for such a requirement. Existing regulations on dock use and application should suffice provided they are based on sound engineering and environmental principles. The EIS and/or Boat Dock Capacity Study does not adequately address this issue.</p>	<p>Lake Lanier's LDA is near saturation (per ER 1130-2-406) with regard to private boat docks. Community docks provide a reasonable alternative. Community dock developments focus lakeshore use into the most favorable locations to provide boat storage while protecting public land and general public interests. Community facilities also provide access to the lake to a greater number of residents in a cost effective manageable permit process.</p>
	280	<p>•No consideration has been given to the fact that private boat dock owners have a vested interest in maintaining their adjacent portion of the shoreline as well as the entire shoreline in general. Example in fact is the many lakeshore clean up days organized by lakeside property owners, subdivisions, and lakeside property owners' organizations. The trash they are cleaning up has been littered by non-vested lake users. The EIS and/or Boat Dock Capacity Study does not adequately address this issue.</p>	<p>The Corps of Engineers manages the lake for all users. It is commendable that adjacent landowners would perform such activities as you describe but it is also true they reap the benefits from owning property adjacent to the lake and it is in their self-interest to support such activities. The Corps annually spends a greater portion of it's budget cleaning up boat dock related debris than does it spend on the removal of trash in parks left by a much greater number of users. Abandoned boat docks and floatation are routinely removed from the lake at taxpayer expense.</p>
	281	<p>•The assumption has been made that private boat docks are more harmful to the shoreline than community docks and that adjacent development without boat docks will require less control for shoreline management than development with boat docks. There are regulations that private boat dock owners must adhere to in order to preserve their rights to such a permit. Such is not the case for non-dock owners and will likely be harder to enforce for community dock or courtesy dock users. Higher use by non-dock owners could increase erodible trails, unauthorized cutting of vegetation, uncontrolled use of motorized vehicles, shoreline clutter, and generally lower quality development. The EIS, proposed SMP, or Boat Dock Capacity Study does not adequately address this potentially negative environmental issue.</p>	<p>Experience with private dock permitting has revealed that an excessive amount of time is spent correcting violations with individual permittees. Community dock permits adhere to the same requirements and Code of Federal Regulations but allow additional penalties from the Homeowners Association utilizing neighborhood covenants and restrictions to preserve the privilege to such a permit. Additionally with a community dock a small section of the shoreline is affected while private docks can be spread out over extended parts of the shoreline.</p>

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	282	<p>•Restricting future private boat dock permits will have extreme effects on property values for owners all around the lake. Real estate values will drop for property no longer eligible for private boat dock facilities and will increase for those properties currently maintaining permitted boat docks. This shift in property values could be devastating for certain property owners while producing an unfair windfall for others. The EIS and/or Boat Dock Capacity Study does not adequately address this issue.</p>	<p>The new requirements are made for the benefit of the resource and not to benefit one group of property owners over another, although ultimately all adjacent owners and lake users will benefit from the results of a long range plan and controlled shoreline development. Boat dock permits are issued on a first come-first serve basis without regard to speculative value.</p>
	283	<p>•No consideration that fewer private docks could lead to increased use of larger vessels (houseboats, cabin cruisers, etc.) moored at marinas. Such larger vessels create much larger wakes even at idle speeds and are a primary reason for shoreline erosion. They are also disruptive to smaller craft and boat dock users and encourage dangerous maneuvers by smaller craft in their wakes. They contain their own sewage which can be dumped in open water with little hope of enforcement even though it is illegal to do so. The EIS and/or Boat Dock Capacity Study does not adequately address this issue.</p>	<p>Marina services on Lake Lanier exist to provide boat storage opportunities to the public that do not have private docks privileges. Marinas also provide storage for both large and small boats of adjacent land owners who can not maintain their boat at a private dock. Future development of marinas and club sites are guided by approved master plans that allow for a maximum number of boats to be stored.</p>
	284	<p>•The proposed shoreline management plan states that no camping will be allowed on islands but does not address the mainland. If camping or overnight moorage is allowed along the mainland shoreline in non designated areas, such will infringe upon the privacy of adjacent landowners and encourage controversy and possible violence. The same issues applying to islands, apply to the mainland with the addition of the adjacent landowner element. Additionally, if a fire gets out on an island, it will be naturally contained. Not so on the mainland. It would make more sense to restrict mainland camping and moorage and allow such on the islands, or ideally, only in designated areas.</p>	<p>Camping is only allowed in areas designated for such use. The public's right to use and enjoy public property, including undeveloped areas, at Lake Lanier is a fundamental objective of the Corps of Engineers. Those living adjacent to one of the most popular lakes in the country must realize some loss of privacy is inevitable. Allowing natural vegetation to grow on public property will maintain your privacy. See Section 2 Objectives in the SMP.</p>
Janyce Earl	285	<p>I understand that in under the new regulations you are contemplating, lake residents will no longer be able to keep large houseboats on their docks. I have to wonder if this recommendation was made by the marina owners on the south end of the lake.</p> <p>I've enjoyed many days on the lake on our friend's beautiful houseboat. It is moored at their lake home here on the north side of the lake. Under your new regulation, they would be forced to moor their boat at a marina - at significant cost and inconvenience. I really don't understand the purpose of this recommendation.</p> <p>Their large houseboat, and others like it, are beautiful - and cost more than my home! Certainly they are not an eyesore. And if other boaters are really suppose to keep 100 feet away from docks, there should be no issue with their interference on navigation. I can't imagine the children swimming off the back of a houseboat moored in a marina - the chemicals in the water there are surely a hazard.</p> <p>I would ask you to reconsider this part of your regulations. To me the only winner is the marina owners.</p>	<p>Text in the SMP has been changed to read as follows:</p> <p>"In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities. Therefore, based on this language it is possible that boats larger than the dock could be moored. Each situation will be considered on a case-by-case basis. The prohibition of mooring boats at a dock of another is intended to eliminate permanent storage and commercial use of the facility. It is possible that a temporary arrangement can be permitted for safety reasons provided open discussion is initiated and maintained with the Lake Lanier Project Office."</p>

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Pat Ellis	286	<p>Community Boat docks are certainly the best type of shoreline management for Lake Lanier. We feel that areas that were once deemed Protected should now be reviewed for the possibility of a community boat dock. Some of these areas are now surrounded by upscale housing developments. Seemingly they are penalized while being surrounded by single docks that are very poorly built and very poorly maintained. In State and County zoning issues the people who live adjacent or in the area are always included in the decision making process. It would seem most appropriate if the people directly affected in any area, especially the Protected areas, could have a voice in the decision that greatly impacts them. These Protected areas should be individually reviewed at the request of the homeowners with the input of the homeowners and adjacent landowners. These homeowners could submit plans that address the environmental impact, the shoreline management and the construction and maintenance of a community boat dock to be reviewed by the US Army Corps of Engineers and local affected residents. Community Boat Docks should have a set of rules and regulations that include the upkeep and maintenance of the area leading to the dock. Environmental standards should be safeguarded at all times. It is a monumental task for all boat docks to be constantly reviewed by the Corp personnel. Community boat docks and the surrounding area should be completed to the required specifications of the US Army Corps of Engineers. Once approved, the Community Boat Dock group (homeowners) should annually submit a report on the condition of the boat dock, improvements and maintenance, along with photographs, to the US Army Corps of Engineers. This would assist the Rangers in their check of these facilities. Many of the single docks are very substandard and not well maintained. With the increasing number of docks, it is a major task for the rangers to inspect all the docks on a frequent basis. Annual self check forms for the Community Docks would assist the Rangers in their review. In conclusion, the Protected areas should be reviewed for the possibility of a Community Boat Dock.</p>	<p>The initial version of the SMP was completed in 1978. That plan delineated the original extent of the four allocation zones that identify the type of activities that are allowed to occur along the Lake Lanier shoreline. The adjoining property owners and the general public were provided the opportunity to express their views during the preparation of the original plan. Similarly, the public is again being afforded the opportunity to convey their suggestions and concerns on the SMP update contained in Appendix F of this EIS. A public scoping meeting to identify issues that should be addressed in the environmental analyses was held at the outset of work on the EIS and SMP. This was followed the formation of focus groups representing various interest groups using the lake to further identify issues that should be considered in the SMP. The Draft EIS and SMP were provided for public review and a public meeting was conducted. The comment to which this response is prepared is a direct product of that review effort. Next, the Final EIS and SMP will be subjected to a second public review before these documents are submitted to the Corps' South Atlantic Division Office in Atlanta for the decision as to whether the SMP will be approved for implementation. The Corps believes this process affords the landowners adjoining Lake Lanier and the general public an adequate forum through which they can make their views, concerns, and opinions known to the decision-maker.</p>
	287	<p>Secondly, any decisions made that directly affect or impact a group of landowners should include those landowners in the process as is required in state and local zoning. Thank you for the opportunity to express our opinions.</p>	<p>There have been significant efforts made to solicit input from the public prior to the preparation of the EIS and the updated SMP in the form of public meetings and individual focus group meetings. The DEIS has also been made available at many public libraries in the area. All procedures mandated by the National Environmental Policy Act (NEPA) have been strictly followed. The public comment period lasted 6 weeks. Copies were also mailed to all individuals that requested a copy.</p>
Dallas Gay	288	<p>I strongly object to the following proposals in the draft plan:1. The revocation of a dock permit for unauthorized removal of vegetation. This would amount to a major fine (loss in value of property) that would far exceed the actual damage done or what any reasonable fine would have been.</p>	<p>Revocation of a Shoreline Use Permit is only one of the suite of punitive actions that could be taken by the Corps to address violations involving the unauthorized removal of vegetation from public lands. A variety of other penalties are also available to the Corps. The decision on which of the penalties to apply is made on a case-by-case basis depending upon the magnitude and severity of the violation committed.</p>

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	289	Maintaining a forested buffer lacks a clear definition and serves no particular purpose.	There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than species of grass. See Section 19, <i>Buffer Zones</i> , of the SMP.
	290	What does the word "encourage" mean with respect to grand fathered mowing permits? Does this mean that the renewal of the dock permit is threatened? Delete this item so it won't be a matter of abuse by some Corp personnel. There is nothing wrong with mowing a yard between the house and the lake.	Upon transfer of ownership, existing mowing activities will be allowed, but minimization of mowing will be encouraged to help protect the lake's water quality. Adjacent landowners have the greatest impact and opportunity to protect and restore the lake's vegetative buffer. Through the years, grandfathered mowing privileges and permits have resulted in a general degradation of natural habitat along the Lake Lanier shoreline, and has created the appearance of private ownership of public property. Eliminating mowing on government lands will protect the natural resources, enhance wildlife habitat and the aesthetic value of the land surrounding the lake, and promote the use of public property by eliminating the appearance of private ownership. Therefore no new authorizations will be granted for grass mowing.
	291	There are many people that have a boat longer than their dock. You can't expect them to do away with the boats or move them to a marina. Delete this item.	Text in the SMP has been changed to read as follows: "In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities. Therefore, based on this language it is possible that boats larger than the dock could be moored. Each situation will be considered on a case-by-case basis."
	292	I have had both jet skis and a wave runner on my dock for over 25 years without any problem. What do you want to do with them now? On the dock is the safest way to store them. Delete this item.	All hoists and lifts must be constructed within the slip area with the exception of personal watercraft (PWC) floating hoist or lifts that allow the PWC to rest on the dock. A maximum of two hoists for PWC use outside of the slip may be authorized. See SMP sec 15.3.6 page 21.
	293	I am glad to see that the Corp is now in favor of riprap and dredging. In the 1970's the Corp gave me a very hard time for putting down riprap and in the 1980's when I asked about dredging you would have thought that I asked to commit a major sin.	Comment noted.
<b>James Geist</b>	294	Water quality has got to be the most important issue, if the water quality is degraded we won't have to worry about dock or fishing or water levels. We need to reduce the amount of treated waste water being put into the lake not allow more. If the water isn't safe to swim in, it should not be allowed to be discharged into the lake. I am member of the Lake Lanier Association, pay taxes and attend these functions, what else can I do to stop waste water being dumped into the lake?	Regulation of water quality falls under the authority of the Georgia Environmental Protection Division and the U.S. Environmental Protection Agency, Region 4. Concerned citizens should contact the regulatory agencies charged with the responsibility of permitting wastewater discharges.

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	295	The reduced number of docks is very much preferable to the current plan, can we limit it to 1500? Using the same arithmetic that was used to come up with the 2022, what if in stead of accepting the 86' that currently is being consumed per dock, what if you ran the numbers on 100 feet of impact per dock or even 110'? Less is more or at least better.	The Boat Dock Carrying Capacity Study utilized Geographical Information Systems (GIS) and on the ground sampling. The data used was not selected arbitrarily and can be supported.
	296	I am sure this should be discussed under a specified topic but I am also concerned with the water level. What can I do as an individual to help the corps minimize the amount that the lake goes down? Is it reasonable to limit the low level to 1065 or 1064?	<p>The storage capacity of Lake Lanier was designed to meet a variety of project purposes. Numerous factors influence lake levels. As long as Lake Lanier is managed as a multiple purpose project as authorized by Congress, it is not responsible to limit the level below which the lake can be maintained.</p> <p>The water management strategy for Lake Lanier will be evaluated in a separate NEPA process conducted after the Georgia, Alabama and Florida agree on a water allocation formula for the ACF basin. The public will be provided an opportunity to participate in that process.</p>
Joyce & Richard Hoge	297	We live on Lake Lanier and love it! We too, want it to be beautiful and inviting to all - those that live here and those that visit. We are very uncomfortable with the concept of letting weeds and vegetation grow uncontrolled along the shoreline. We feel that this will encourage people to toss out their debris into the lake and along the shoreline using the thought process that, "it's all weeds, no one cares about the shoreline property, property owners don't even mow anymore, we might as well just toss our trash overboard." We want our lake to remain clean, neat and beautiful and to make a statement that we care about how it looks!	This requirement in the SMP is intended to establish, enhance, and maintain acceptable fish and wildlife habitat, aesthetic quality, and sustain healthy natural conditions. The use of native vegetation along with limited underbrushing authorizations will accomplish this objective.
	298	We moved to lake Lanier from lake Burton. Up there we were encouraged to build retaining walls/sea walls. it worked very well to control run-off and silt and to protect the shoreline from further damage. Please give us the opportunity and tax relief/funding help to do the same here at Lake Lanier. We'll make you proud!	Fluctuating lake levels and the need to preserve public access to lands surrounding Lake Lanier from the shoreline make sea walls less desirable than riprap for shoreline protection. Additionally, sea walls will ultimately fail and often require removal at taxpayer expense.
Mark Kight	299	My wife and I live in the Limestone Pointe Subdivision, which backs to Limestone Creek above the bridge on Pine Valley Road. We would appreciate your allowance of a review that includes homeowners in our area in regard to an application for a community boat dock. We feel we should be heard in any review process. We are prepared to present design, landscape and maintenance plans for your consideration. Included in those documents will be proposals for how we would improve and maintain the shoreline and wildlife areas subject to Corps of Engineers approval. A well designed and properly maintained community boat dock will substantially minimize environmental impact (as opposed to "stand alone" docks), not only at the immediate shoreline, but at the natural areas approaching the shoreline and protected areas. Development of the shoreline is presently controlled by municipal zoning regulations in compliance with Corps regulations. Please allow us to present our proposal and to be heard in accordance with such procedures. We feel we can and will positively affect the lake in our immediate area.	Project personnel have reviewed your request numerous times, most recently in the update process of the proposed SMP. To obtain opinions from interested parties, the SMP focus group was allowed to review the Limestone request for rezoning. The opinion of the SMP focus group was that the permit should be denied. Focus group members were selected from a wide range of lake interests including numerous experienced developers of adjacent residential communities. These individuals represented the interests of property owners and the value issues associated with adjacent property.
Kenneth Kurtz	300	I'm not an engineer of any sort, but why can't we build more dams down further basin in GA, FL, AL to hold the waters more before it flows out to sea? It seems as though the TVA didn't go far enough south. What a great gov't plan to help spark employment, creating jobs by building more dams lower in the basin. Even if "Atlanta" has to, in some way, help fund the projects because it is of our greatest interest for water supply. We spend a lot of money to ensure our oil supplies, water is equally worthy.	Currently, there are 16 dams (including Buford Dam) between Lake Lanier and the Gulf of Mexico. The water allocation formula for the Apalachicola-Chattahoochee-Flint Rivers is currently being negotiated between Georgia, Alabama, and Florida. As an outcome, it is likely that the need for additional dams will be evaluated in the future.

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Alex Laidlaw	301	<p>Objection to Proposed Program Improvement – Outgrants, Table 2-13: “Allowing commercial marinas to continue operations with their current number of boat slips and dry storage capacity until expiration of their leases, at which time an equitable reduction in the number of authorized commercial marina boat slips and dry storage capacity might be imposed if boating safety is at risk because of a high density of boats using the lake at any one time.”</p> <p>Specifically an objection to “equitable reduction in the number of ... boat slips... might be imposed.”</p> <p>The factual basis used to draft the proposed improvement is inherently flawed. Neither physical nor social carrying capacity has been established by any current objective standard. The EIS utilizes a study that was conducted almost twenty years ago with a flawed statistical approach. In no way can that study be relied upon as a basis for any conclusion that carrying capacity has been exceeded. In addition the estimates used to develop a calculation of current “overuse” is completely arbitrary and without statistical foundation. The assumptions of numbers of boats launched and percentages of marina, community dock, and private dock boaters utilizing the lake at any one time are purely arbitrary with no current empirical data to support those assumptions and the conclusions that follow. A new study should be initiated before any proposal or conclusion is used in the EIS.</p> <p>In fact the EIS contradicts itself in two areas with respect to carrying capacity: (1) The 1984 study indicates that social carrying capacity was not exceeded by virtue of the high quality experience boaters indicated in interviews yet the study sites a 71% overuse. (2) The proposed requirement would be imposed if boating safety were at risk. The EIS sites that boating related fatalities decreased dramatically from 27 in 1983 to 4 in 2000. That indicates that boating safety is not at risk, but in fact has improved dramatically, therefore there is no need for the proposed improvement.</p> <p>In addition the Corps has encouraged commercial expansion that has benefited the Public and the Lake. The unintended consequence of the proposed improvement would very likely lead to two things: (1) a certain deterioration of existing marina facilities because of the uncertainty of a return on the investment. (2) A reduction in marina value because of the uncertainty of valuation based on income and slip numbers. This market has flourished because the Corps has allowed market factors to exist, if an arbitrary reduction in slips is imposed, the market for capital funding, acquisition, and development will abandon the marketplace. The encouragement and approval by the Corps of expansion and redevelopment within these concession areas is a legal course and conduct that has been established for many years. To create an open ended and vague regulation in the EIS that reverses the established course of conduct that the Corps established is fraught with great legal risk and almost assures a class action suit with the very partners that have made Lake Lanier one of the most successful in the Corps chain.</p>	<p>The statement has been removed from the EIS. All concessionaires have a Master Plan that defines their limits of development and the Corps works with the concessionaires to ensure that their development is consistent with the Master Plan.</p>

Commenter ID No.	Comment ID No.	Comments	Responses
John Lamb	302	A popular boat on Lake Lanier is a 24 foot pontoon. Many of the boat dock slips are 20 foot long. A requirement for boats to not extend beyond the slip would impact many current permittees. The idea is good, but the implementation must be done carefully and over an extended period of time.	Text in the SMP has been changed to read as follows: "In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities."
	303	When the Lake is low, as in the past couple of years silt moves further into the coves forming deltas as the lake recedes. An active sediment removal program would maintain the depth of these coves and extend the life of the lake significantly.	A large-scale silt removal program is cost prohibitive.
	304	There are many de facto silt traps created at stream entrances to the lake by road crossings. The culvert under the road slows the water and allows the silt load to settle. If these could be cleaned periodically, it would improve water quality and extend the life of the lake. After cleaning the area would once again begin collecting silt thereby keeping it out of the main body of the lake.	Unless blocked by large debris, culverts do not sufficiently slow flow or reduce sediment loadings. Sediment removal at all these structures would be cost-prohibitive. Sedimentation is most efficiently reduced through erosion control measures implemented at the source of the erosion to prevent or minimize sediment loadings.
	305	If the COE would permit private individuals to remove silt, under a strict set of guidelines and practices, the smaller coves could also be maintained in such a way to reduce the silt load reaching the main lake and also maintain water depth at the docks in the cove.	The Corps is currently pursuing alternative guidelines and policies to allow more dredging, where beneficial to the lake.
	306	War Hill Park is a beautiful recreation area that would be ruined by a marina. Particularly if it were turned over to Dawson County. Dawson County cannot even manage its own erosion and silt control program at construction sites and shows no inclination toward environmental protection and/or management. War Hill Park road is narrow and winding. Encouraging more traffic would be dangerous.  Another marginal boat facility around the lake is not needed. If the market demands a marina, then find the location that serves the demand.	The proposed leasee is not interested in leasing the War Hill Park at this time. However, there is still a need for services on the Chestatee River and the Corps will continue to look for a way to provide a marina operation in the area.
	307	Do not permit sewage discharges from any entity or if it is necessary to do so, then only if the best known practices and treatments are strictly followed with assurances in place to avert spills and/or deterioration of effluent quality due to improper operating practices, accidents or overloading.  Do not permit any discharge that will lessen the water quality in the lake.	Georgia EPD has wastewater discharge permitting authority. Georgia EPD and EPA are the agencies responsible for water quality criteria and standards, and associated enforcement authority.
	308	Many private dock owners paint or stain their decks by spraying with a pressure paint sprayer or a type of sprayer associated with lawns. This practice should be prohibited as much of the spray falls directly into the water. Only hand held rollers or brushes should be allowed for repainting or staining of docks.	Suggestion will be considered.

Commenter ID No.	Comment ID No.	Comments	Responses
	309	Do not permit sewage discharges from any entity or if it is necessary to do so, then only if the best known practices and treatments are strictly followed with ensurances in place to avert spills and/or deterioration of effluent quality due to improper operating practices, accidents or overloading. Do not permit any discharges that will lessen the water quality in the lake. Many private dock owners paint sprayer or a type of sprayer associated with lawns. This practice should be prohibited as much of the spray falls directly into the water. Only hand held rollers or brushes should be allowed for repainting or staining of docks.	The State of Georgia is responsible for permitting wastewater discharges. The NPDES permitting program requires a discharge of wastewater to be permitted. The permit process requires the applicant show that the proposed discharge does not cause a violation to the state water quality standards. Once the discharge is permitted there are additional protections in place to ensure the maintenance of water quality.
<b>David Montrois</b>	310	<p>I am concerned that the new, and lower, limit on docks may impact my situation in a manner that I had not planned on and feel the need to share my concerns with the hope that a solution is found that may be more agreeable to my future as a lakeside landowner.</p> <p>I own three lots on the lake, with a home and a dock on the middle lot. The adjacent lots are buildable and have enough shoreline to allow for a dock on each lot. I have purchased the adjacent lots for lifestyle reasons as well as investment purposes and would see quite a loss of land value if no docks were allowed on the adjacent lots.</p> <p>I would like to be able to "reserve", so to speak, two of the remaining dock permits for future use as the land is sold or developed as I wish. I am deeply protective of the natural beauty of the lake and applaud your decision to limit the number of docks. However, since I have already made a significant purchase under one set of rules, I believe that special consideration should be made if we are moving forward under another set of rules.</p> <p>I should not be forced to sell or develop the land before I am ready to realize the full potential of their worth. I have worked long and hard to put this land package together so that my family and I can enjoy a large expanse of natural beauty on the lake while living on, enjoying, and "sheparding" the lake. My daughters should also be able to realize the maximum value of the land in the far future if they wish. Please respond to my request to "reserve" dock permits while they are available.</p>	The Lake Sidney Lanier Shoreline Management Plan is based on Engineering Regulation 1130-2-406. This regulation requires that public shoreline be utilized for recreational interests as well as natural resource needs for present and future generations. The limit on future boat docks is based on an evaluation of the lake's Boat Dock Carrying Capacity. A determination was made in accordance with ER 113-2-406 and presented in the SMP identifying how many dock permits will be issued. Potential dock permittees are recommended to remain aware of the number of future dock permits that will be permitted. Permits will continue to be issued on a first come basis, with none being reserved. Speculative value of adjacent property was not a factor in the process, except for the fact that controlled growth will benefit the entire lake resource and adjacent property owners.
<b>"Pete"</b>	311	How can you mandate new policies with words like "encourage" as the action for enforcement. Either rip-rap is required or it is not. Either reforestation is required or it is not. Anyone who has had to deal with the Corp on this lake knows that Irwin Topper and Chris Lovelady will lie and deceive the public to "encourage". They will hold dock permits hostage to "encourage" the public to comply. This plan gives the Corp entirely to much power with no oversight or accountability or recourse to the public.	Words such as encourage express the Corps desire to improve shoreline protection measures and vegetative buffer benefits without mandating it. Budgets currently do not allow the project to construct or install such measures lake-wide. However, individuals sharing this desire can accomplish this benefit.
<b>Randall Pinson</b>	312	<p>As a recreational Lake Lanier land owner, I am in favor of the No Action Alternative for the following reasons:</p> <p>The theoretical study as presented has serious flaws.</p>	Comment noted.
	313	Boat docks do not generate any increase in bacterial contamination. Prohibiting boat docks will not prohibit shoreline development nor increased boat traffic both of which do significantly contribute to biological degradation of the lake.	Reducing the number of boat docks allowed on the lake will protect publicly owned lands bordering on the lake from being affected by the development of adjacent private property.
	314	In fact your Preferred Alternative of increasing marina size and increased access points will in fact actually serve to further increase lake degradation and pollution.	There is no assertion in the DEIS that marina size will be increased beyond what is allowed in their approved Master Plans. In addition, marinas are highly regulated and must comply with strict state and federal regulations.



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	315	As far as the visual aesthetics, boat docks are more attractive than a muddy, eroded shoreline. As a matter of fact, both Lake Burton and Lake Rabun continue to remain attractive and to retain their value despite numerous boat docks.	The beauty of boat docks is subjective, whereas the requirement for the Corps to protect the environmental integrity of the natural resources is not. Corps regulations limit boat docks to 50 percent of the limited development area shoreline. Lakes Burton and Rabun are owned and operated by Georgia Power.
	316	The issue of the navigation on the lake being inhibited by boat dock additions is overstated. Navigation in coves is already restricted as to speed and distance from docks.	The Corps agrees that navigation on the open lake is not inhibited; however, maneuverability in coves can become limited when choked with boat docks.
	317	The theory that wildlife will be adversely impacted by additional docks does not hold up to close scrutiny.	Loss of native vegetation has direct and indirect adverse impacts on wildlife.
	318	The timing for this request for public comment on the Lake's future seems to have been planned to correspond to the time of year when family issues over ride such important public issues. Due to this significant oversight, I am sure that your response will not appropriately reflect the public's true desire in this matter.	There have been significant efforts made to solicit input from the public prior to the preparation of the EIS and the updated SMP in the form of public meetings and individual focus group meetings. The DEIS has also been made available at many public libraries in the area. All procedures mandated by the National Environmental Policy Act (NEPA) have been strictly followed. The public comment period lasted 6 weeks. Copies were also mailed to all individuals that requested a copy.
<b>Teresa Reynolds</b>	319	But recently we have been looking @ property off Stancil Rd & a few other places on the lake where we could actually have a boat dock. We have owned a boat & jet ski's for years but have to drive to the marina to use them. My family & I walk down to our cove every few weeks to pick up the cans, worm containers, tangled fishing line, etc. that the fisherman seem to leave behind. We don't mind, we understand that the Lake is there for all of us to have & enjoy and we want it to be there for generations to come to enjoy as well. Recently me & some of the other neighbors were discussing how many people have moved out of our neighborhood & gone on to have lake homes with docks. If we were permitted to get a community dock that all the neighbors interested could purchase, we as a group could make sure to keep the shorelines cleaner, less trashy looking, which would enhance the appearance of our neighborhood. I know that verbal dock permits are still being issued first hand as we made an offer on land off Clarks Bridge Rd in September this year. There are at least 4 boat docks within a rocks throwing distance of where we would like to have a community dock placed if we were allowed. I know we have numerous ducks & geese in our cove because we already take bread scraps to them. But we could hang bird feeders, corn cobs for the squirrels, even food for the beautiful hummingbirds that appear through fall. There are already docks in the same cove we are interested in placing ours.	The Corps will encourage existing private dock permittees in previously developed areas who are desiring to replace facilities to use community docks when appropriate. The use of a community boat ramp with a courtesy dock may be substituted for multi-slip docks to provide lake access to more of the residents. However, the location of parking facilities and boat storage would be restricted to adjacent private property. See SMP section 15.1 Eligibility Requirements Page 15.
<b>John Rhodes</b>	320	I really hate seeing old, delapidated, sinking and falling apart docks on the lake. I applaud your efforts to clean up the docks on the lake. I would like to see you ban non-encased styrofoam immediately.	Comment Noted.
	321	I would like to see another restaurant or two on the lake. The couple of good ones are very packed during the summer months.	The public has indicated the need for services such as fuel service, boat storage, restaurants, etc.

Commenter ID No.	Comment ID No.	Comments	Responses
Donald Ruf	322	<p>I have read with great interest your plan for new regulations concerning homeowners whose property is on the Lake Lanier shoreline. This plan certainly has some benefit but is also fraught with liabilities. Living in the south, we will always have local pests such as fire ants, fleas, ticks and snakes. Each of the last 3 years I have killed a poisonous snake on the property abutment line between corp property and my own. Sooner or later someone will bring a lawsuit against the corp for failure to control pests. If a 6 year old gets bit by a rattlesnake, coppermouth or cottonmouth and has serious complications it would be very reasonable to sue the corp. and I can't imagine many juries would side with the corp. if this occurs. Corp property is also a haven for fire ants. Every year I go around my property once a month and destroy their mounds. This however is temporary at best since on the corp property there are dozens of mounds and the ants come right back onto my property. Ticks are a severe health problem and transmit very serious diseases. The risk of contacting a tick borne disease is hugely reduced by keeping grassy areas mowed. Will the Corp agree to check the entire lakeshore once a month and destroy these pests? Theft is also a problem. In the last year I have had a bolted down gas tank stolen from my pontoon boat and a carburetor stolen from a wave runner. This results from a limited view of my dock. How many rangers are patrolling the lake? Are the rangers out there all night long? Is the Corp really policing the lake enough to provide any reasonable security? Do you really think that many property owners are going to buy trees at their own expense and plant them only to have them block the view of the lake and their docks? The Corp is already extremely unpopular among homeowners. Instead of these proposed new rules which will immediately setup confrontations with huge groups of well organized homeowners why not set up a set of regulations that both protect the lake and the homeowners from these types of problems. It is easily shown that a thick mowed carpet of grass protects against runoff and erosion better than natural weeds and low vegetation. I know of no one who is willing to plant trees. Just look at the grass at the numerous golf courses in this area and compare that to the open weeded areas that abuts those golf courses. Your plan will create an army of subversive homeowners who do not agree with this plan. Even if you revoke dock permits, it is only a matter of time until someone sues over this issue saying that you revoked their permit without reason. Other homeowners in similar situations will do the same. How much time can the corp. spend fighting 100 lawsuits or 1000. Consider lawsuits from groups like the ACLU or even any homeowners association who doesn't like a development plan in their county. They cost those that they sue millions of dollars every year defending the lawsuits. This is America. We are a litigious society. Under your current proposal it will occur. I would propose that you modify the mowing plan as follows: 1) Require anyone who wishes to mow an area that abuts their property to obtain a mowing permit. Designate existing trees and shrubs that may not be disturbed. 2) Require an approved runoff plan from the homeowners property. 3) Specify the approved types of ground covers or grasses that must be planted or mowed. 4) Specify that any bare areas (soil without vegetation), be planted in an approved manner. This would not only protect the lake but decrease confrontation between the corps and the homeowners who are battling these pests yearly. The government regularly requires property owners who have land in urban areas to keep their land free of pests. Your own proposal states that Lake Lanier is in an urban area. The corps property is the breeding ground for pests. Can you supply crews for the entire shoreline to control this? A compromise plan with homeowners is in everyone's best interest.</p>	<p>One of the Corps primary objectives at Lake Lanier is to protect the natural resources within its jurisdiction. The agency cannot create or modify public land to be free of pests or hazards. Many lake visitors enjoy the natural environment and do not want to see their interests in a healthy environment ignored.</p> <p>In regards to grass mowing, the SMP text states: "Because grass is not a high quality vegetative buffer, it is project policy to restore grassy areas to a more natural state. When such areas are not maintained and woody vegetation has reestablished itself this portion of the permit will not be renewed. During changes of ownerships minimization of permitted mowed areas will be encouraged to help protect the lakes water quality."</p> <p>Broad uses of Chemical agents such as pesticides are not authorized. Chemical products such as pre-emergence, weed killers, fertilizers, growth retardant, etc., may not be used on public lands, however, some topical application to control noxious or nonnative species may be allowed under rigid control via a Specified Acts Permit. The use of such products on private property must not affect public lands or waters.</p> <p>In regards to potential liability of the government from the issuance of permit privileges see condition #2 of the permit application which reads; 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.</p>

Commenter ID No.	Comment ID No.	Comments	Responses
Michael Russell	323	I am concerned about the new regulation which states that "no vessels may be moored at a private boat dock that exceeds the length of the dock, excluding the access walkway." I currently have a permitted platform dock which is 12x16. A larger dock has not been permitted because of crowded cove conditions. This new regulation would appear to preclude me from mooring my 19 foot fishing boat.	Text in the SMP has been changed to read as follows: "In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities."
	324	The last paragraph of, 15.3.1 Floating Facility Types, has been amended to state that existing platform Docks will be Grandfathered. Paragraph 15.7, Grandfathered Facilities, indicates that permits will no longer be issued for their replacement. I am currently permitted for a 12x16 platform because of crowded cove conditions. If it is the intent to no longer grant permits for new Docks of this nature, then the regulation should be re-worded stating that existing docks may be replaced when necessary. Putting these docks in the category of "grandfathered" facilities is unfair to a property owner such as myself who currently holds a permit on a platform dock that is older and will eventually need replacement. The regulation as it is now proposed will eventually cause my property to be without any dock privileges.	Text has been changed to read as follows: "Additionally, no permits for private use will be issued for new platform/T-Docks due to crowded cove conditions. Existing docks of this configuration that are currently authorized under permit will not be affected by this change in policy."
	325	In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, no vessels may be moored at a private boat dock that exceeds the length of the dock, excluding the access walkway.  This rule would preclude me from mooring my 19 foot boat at my 16 foot dock. From my conversations with COL Robert B. Keyser and other representatives at the Oakwood meeting, it appears that this rule is aimed at boats in excess of 32'. I am proposing that reasonable alternative language be one and one half times the length of the dock subject to a maximum of 32 feet.	See response to comment no. 323 above.
	326	Platform/T-dock: A floating facility without a moorage slip, roof or enclosures of any configuration (always remaining completely open) that may be utilized for the docking or mooring of a vessel or other activity such as sunbathing or lounging. Swimming in the vicinity of mooring or floating facilities is not encouraged due to potential hazards between swimmers and boaters. The maximum dimensions will not exceed 192 square feet. Additionally, no permits for private use will be issued for new platform/Tdocks due to crowded cove conditions. Existing docks of this configuration that are currently authorized under permit will be grandfathered.  The proposed characterization of T-Docks or platform docks as a "Grandfathered Item" has the potential of creating problems in the future. The definition in the Plan of "Grandfathered Items" is poorly worded and ambiguous and creates the possibility that a permit may not be issued for the replacement of the dock should it be damaged beyond repair. Boathouses, which are grandfathered, can be replaced with an open dock. Applying the same rules to my platform dock may lead to a complete loss of dock privileges.  I respectfully suggest that the language in paragraph 15.3.1 be amended to state that Existing docks of this configuration that are currently authorized under permit will be grandfathered, but such facilities will be eligible for permits for replacement and are eligible to be permitted to new property owners.	See response to comment no. 324 above.

Commenter ID No.	Comment ID No.	Comments	Responses
	327	<p>A separate regulation states that a dock of this nature will be "grandfathered". A reasonable exception needs to be made in the new boat length regulation which will allow for the continued utility of these smaller "grandfathered docks" so that a reasonable size vessel can be moored. I believe that a reasonable compromise would be as follows: If a dock is permitted at less than the maximum allowable size, due to crowded cove conditions, then the maximum allowable size of a boat that may be permanently moored may not be larger than 1 and 1/2 the length of the dock, excluding the access walkway, subject to a maximum length equal to the largest dock length allowable in absence of the restriction imposed by crowded cove conditions.</p>	<p>See response to comment no. 323 above.</p>
<b>Tom Russo</b>	328	<p>I would like to submit comments on the Lake Lanier Shoreline Management Plan that is under consideration and evaluation. My key area of interest is in the proposed management plan restriction on the size of a boat that can reside on a dock (page 17).</p> <p>I disagree with the management policy clause restricting the size of the boat on the dock to be smaller than the dock. If there is sufficient space between docks to allow for the presence of a large boat, then I feel it should be acceptable. Friends of ours have a houseboat that although large, does not create excessive waves or travel at high speeds. Larger powerboats have more of an impact on the lake. Can the power and speed of a large boat be a consideration?</p> <p>The aesthetics of a large well-maintained and operational vessel are often superior as compared to many existing boat docks. Given the very subjective nature of aesthetics, how was it determined that a boat has less aesthetic appeal than a dock? The aesthetics of the lake are negatively impacted by boats in docks that are left in the dock on the ground, boats that are not maintained properly and do not even operate etc.</p>	<p>Text in the SMP has been changed to read as follows:</p> <p>"In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities."</p> <p>The presence of a large boat at a dock facility does not necessarily improve the aesthetics.</p>
<b>Alan Shedd</b>	329	<p>Ref. Table ES-1: Boat dock usage limits boat size to length of dock. This precludes keeping a boat over 32' in length at a private dock and seems too restrictive.</p> <p>Requires mooring of boats in slips. This would prevent the owner of a sailboat with a covered dock from keeping is sailboat at the private dock. Sailboats must be able to moor beside the dock not in a slip.</p>	<p>Text in the SMP has been changed to read as follows:</p> <p>"In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities."</p> <p>There are no prohibitions to mooring a boat along the side of a private dock, as long the above stated conditions are not adversely affected.</p>

Committer ID No.	Comment ID No.	Comments	Responses
	330	Creating requirement to prevent boats with loud (unmuffled) exhaust from using private docks seems like an ineffective way to enforce a boat noise ordinance and does nothing to restrict boats stored in marinas, in dry stacks, or launched at ramps. The wording should also be revised. The issue is not whether the muffler is below the water but whether the exhaust outlet is below the water.	State law requires that boat mufflers be located below water level and the Corps requires all Shoreline Use permit holders to abide by State laws. The Corps agrees that all users need to be treated equally. The SMP specifically addresses this issue in the SMP to assure that no violations of law occur in connection with activities permitted on project lands. In addition, the Corps will enforce any violations to this law detected on all watercraft using Lake Lanier, whether they enter the lake via private boat docks, marinas, off-site dry storage locations, or are launched at any of the numerous boat ramps surrounding the lake.
	331	Ref. Table ES-1: An Adopt-an-Island program is a great idea but most participants of these types of programs are civic groups, scouting organizations, or private citizens who are concerned about lake and environmental quality but typically do not have large financial resources. An adopt-an-island program should not be viewed as a revenue stream to fund other programs but as a way to encourage more local participation in conservation efforts.	Text has been revised to read as follows: “Establishing and Adopt-An-Island program, or something similar, as a source of volunteer labor and/or funding for shoreline protection and stabilization activities on the islands.”
	332	Table ES-1: Requiring owners of private docks to plant vegetation and install riprap to reduce shoreline erosion is a good idea but this will have a minor impact on shoreline erosion. A far more effective control would be to control boat wakes. They create much more damage than use by private dock owners.	Text indicated in comment and located in Tables ES-1 and 2-13, and pg 2-9, lines 10 –15 was changed to read as follows: “Shoreline stabilization measures (riprap) may be required with the issuance of new permits that require fixed steps or are located on sites already affected by erosion.” The installation of riprap will not be required for all permits. See Section 15.2, <i>Site Requirements</i> , of the SMP.  State-approved ‘No wake’ zones have been established where needed, and State law limits speeds to 5 mph within 100 feet of the shoreline.
	333	Ref. Table ES-1, Water Quality: Location of private septic tanks on public property should not be permitted. How many are there? Linking the control of septic tank encroachment to private dock permitting seems inadequate. The issue is the septic tank and its effluent regardless of whether there is a dock. What requirements are placed on other facilities such as marinas and parks?	It is unknown how many septic systems are located on public lands surrounding Lake Lanier. Septic systems are being linked to Shoreline Use permits because it takes advantage of an existing inspection system to address a number of land management issues, such as encroachments.  All lessees (which include marinas and leased parks) at Lake Lanier are required by lease to comply with all applicable Federal laws, ordinances, and regulations wherein the premises are located, including sanitation, and the abatement or prevention of pollution. In addition, GA EPD routinely inspects and monitors the sewage pump-outs, and permitted sewer discharge sites. In addition, annual lease site inspections are conducted by the Corps Regional Environmental Compliance Inspector.

Committer ID No.	Comment ID No.	Comments	Responses
	334	<p>Ref Table ES-1: Before a permit is issued for dredging, an environmental impact assessment should be completed. Removal of sedimentation may aid navigation and allow access to the lake from the upper reaches of coves, but dredging is not without its impact on water quality and the distribution of disturbed sediment further down the embayment.</p>	<p>The Savannah District U.S. Army Corps of Engineers, has issued Regional Permits pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act for minor work and structures in or affecting waters of the United States within the limits of Lake Lanier. The scope of a Regional Permit includes only those activities that are considered to be minor in nature and would cause only minimal individual environmental impacts. Cumulative impacts should also be minor. 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 Managers at each lake. An environmental assessment is not required for regional permits since the determination has been made that small-scale actions (i.e. limited dredging) would not result in significant adverse impacts.</p>
	335	<p>Ref. Table ES-1: No specifics were provided for which ramp facilities in the south lake would be closed.</p> <ul style="list-style-type: none"> <li>• Most existing launch ramp facilities are inadequate for launching sailboats - especially sailboats with deep draft. Even where the ramps are long enough, there is seldom adequate deep water dock space to temporarily tie the boat while parking the trailer. A dock immediately adjacent and parallel to the ramp would be much more effective.</li> <li>• Small, shallow-draft sailboats, boats with retractable keels, and rowing shells need a soft landing site for launching and retrieving. Much of the shore adjacent to ramps is rocky or protected by riprap. This is incompatible with many types of boats that must be launched from a vehicle then beached while prepared for use or while the vehicle and trailer are parked.</li> </ul>	<p>There are no plans to close ramp facilities in the southern portion of the lake.</p> <p>The depth of Corps-operated boat ramps are generally determined by lake bottom conditions (i.e., deep drop offs or other obstacles beyond the end of existing ramps) which may make ramp extensions unfeasible. Deep water ramps below the 1,060 msl elevation (11 feet below full pool) exist at 24 locations around the lake.</p>
	336	<p>Ref. Table 2-1, pg 2-3: There is no improvement indicated for recycling (or other trash collection efforts). While the Corps of Engineers has conducted some lake clean-up efforts, the on-going, daily efforts are lacking. At Balus Creek Ramp, there is one trash can. It is frequently filled to overflowing. Trash left beside the can will blow into the lake. It also discourages people from properly discarding their trash. We should make it easier to recycle and to keep the lake clean.</p>	<p>Previous attempts have been made to conduct a recycling program. The cooperation from the public was very limited resulting in the failure and discontinuation of the recycling program.</p> <p>A Corps a contractor empties trash receptacles approximately 3 times per week during the summer, 2 times per week during the spring and fall, and 1 time per week or on an as-needed basis during the winter. The Corps will investigate the problem described at Balus Creek.</p>
	337	<p>Shoreline Management Plan, pg 9: While the carrying capacity of private boat docks was evaluated, I see no reference to the growth and impact of commercial docks. According to the plan there are approximately 8600 existing private docks and the preferred alternative that includes the addition of 2000 additional docks. The Marina Development Facility Chart, dated 12/1/02 and supplied at the public comment meeting in November states that there are 8800 existing wet and dry slips in 17 marinas and clubs. The master plan calls for an additional 3,900 to be built. It seems that the concentration of this large number of slips on the lake has a much more significant impact. I saw no analysis of this impact including shoreline effects, water quality, sewage treatment, fueling, trash, etc. Any environmental impact statement must address these effects.</p>	<p>The purpose of the private boat dock carrying capacity study was to examine data related to the current number and density of boat docks on Lake Lanier, determine the effect of current Corps dock permitting practices on LDAs, determine potential future lake conditions based on different dock permitting scenarios, and suggest changes to the SMP guidelines to ensure a healthy future lake.</p>

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	338	It appears that the proposed shoreline management plan only addresses private docks because there is some leverage over private individuals as they seek new or renewal permits. There is apparently less interest in controlling the impact of the operation and growth of commercial facilities although they can have a much more significant impact and due to their centralized nature, should be more easily controlled. Perhaps the Corps does not want to negatively impact the income generated from these commercial ventures through additional regulation.	Marina developments provide public access for recreational opportunities to the general public as opposed to private docks managed by the SMP. Marinas are subject to restrictions on their development based on what the Corps determines to be in the best interest of the lake and the public. A master plan specifies the level of development allowed at each marina.
	339	Pg 13: Section 14.1 refers to fees for special event permits. Where will the fee schedule be posted? Will fees be determined based on the number of participants regardless of the type of event? Certain events can have a much larger impact on the lake than others. e.g. a poker run for speedboats vs. a sailing regatta.	The regulation regarding the Corps special event permit policy may be viewed at <a href="http://www.usace.army.mil/inet/usace-docs/eng-regs/er1130-2-550/toc.htm">http://www.usace.army.mil/inet/usace-docs/eng-regs/er1130-2-550/toc.htm</a> . Applications including multiple events will be evaluated and the permit fee determined by the nature of the event, whether an entry fee is charged to participants and the impact the event has on the lake and its users. Further, application information is posted on our Lake's homepage at <a href="http://lanier.sam.usace.army.mil">http://lanier.sam.usace.army.mil</a> .
	340	Pg 19: Section 15.3.1 Does the exclusion of mooring buoys also apply to marinas?	No
	341	Shoreline Management Plan, Pg 24: Section 15.3.12. Specifically excludes the use of waterlines that remove and return water from the lake for use in a heat pump. I would like to know more about this specific exclusion. Would the use of a closed-loop system that does not utilize lake water directly but transfers heat through a heat exchanger be permitted? There would be no effluent or removal of lake water.	The referenced system is not appropriate for application at Lake Lanier because of the fluctuating lake levels. During extreme low lake levels pipes could be exposed and not function as designed and obstruct dock relocation. Further pipes can create an underwater navigation hazard.
	342	Pg 25: Section 15.4: Who will establish and regulate the fee schedule for inspection? With this inspection be in addition to the fees paid to electricians for wiring inspection? The cost of electrical inspection is already high especially considering how little they do during inspection on a dock that is already in compliance and has had no modifications since its last inspection.	Inspectors will compete for business and establish their own fee structure. Electrical inspection requirements have not been changed. A licensed electrician must certify all electric services to permitted facilities.
	343	Draft EIS, Section 7.0, Persons Consulted: This list appears to be in error judging from the large number of people consulted in Arkansas. I presume that several entries of this list were taken from an earlier study completed for another facility. While this is common practice, it raises some doubt about the study's originality and applicability to Lake Lanier. It would be unfortunate if the draft EIS is an edited version of a previous report for another area.	Text has been edited to clearly identify the individuals that contributed to the development of this EIS.

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HD Shumate	344	<p>I have reviewed the proposed Shoreline Management Plan for Lake Lanier. As an owner of lake side property I am extremely concerned with the proposed plan. I doubt that I am the first to express such concerns and I am equally sure that others have spelled out chapter and verse exactly what is totalitarian in the proposal and specified what is abusive to existing land owners. Therefore, I will not enumerate them again here.</p> <p>Suffice to say, I applaud the ambition to improve the management of the lake and to reduce the risks (debatable though they may be) of damaging such a huge asset. However, this must be accomplished without compromising the rights and investments of those of us who are already here.</p> <p>Having lived on the lake for a number of years, and having many friends who live on the lake (many for generations), I know that most property owners abide by the rules. If the government now decides that the rules that are in place are wrong or need to be changed then so be it. But, the government cannot change the rules, under which they have already entered agreement, without the permission of the INDIVIDUAL with whom they have the agreement.</p> <p>Any land which has a dock permit, and abides by the existing rules, should retain that permit. Any transfer of title of such land should include the opportunity to have a dock permit under the rules which the permit was originally issued. Obviously, a dock permit has a tremendous impact on the value of the land.</p> <p>Similarly, any land which has a mowing permit, and abides by the exiting rules, should retain that permit without any argument from a new administration. And, of course, any transfer of title of such land should retain the mowing permit. Again, such a permit has a tremendous impact on the value of the land.</p> <p>Any debate about the impact of docks and mowing permits is fine. If it is determined that such permits are bad then change the rule for land that does not already have such permits. It would be inherently wrong for the government to decide now that their past decisions were wrong and then to punish others for their errors.</p>	<p>Permits may be issued in "Limited Development" areas only. The permit will be issued for a maximum of a five-year period. The permit may be reissued when the current term expires if the permitted facilities and uses of public land are in compliance with the conditions of the permit. Permits are non-transferable. They become null and void upon sale or transfer of the property associated with the permitted facilities or the death of the permittee. New owners must notify the Operations Managers office of their purchase and make application for a new permit. Assuming compliance with all Shoreline Management Plan policies and site requirements remain suitable, new property owners can be reasonably assured of being granted a permit.</p> <p>Upon transfer of ownership, existing mowing activities will be allowed, but minimization of mowing will be encouraged to help protect the lake's water quality. Adjacent landowners have the greatest impact and opportunity to protect and restore the lake's vegetative buffer. Through the years, grandfathered mowing privileges and permits have resulted in a general degradation of natural habitat along the Lake Lanier shoreline, and has created the appearance of private ownership of public property. Eliminating mowing on government lands will protect the natural resources, enhance wildlife habitat and the aesthetic value of the land surrounding the lake, and promote the use of public property by eliminating the appearance of private ownership. Therefore no new authorizations will be granted for grass mowing.</p>
Torre Smitherman	345	<p>I am fully in agreement with the Preferred Alternative limiting the number of new boat docks on Lanier. It seems like there should be a few less than the proposed allocation of 900+ more permits North of the Highway 53 Bridge though, since these are narrow channel areas which don't handle large volumes of boats very well.</p>	<p>The apportionment of the 2,022 new boat docks identified in the SMP between four distinct regions of Lake Lanier has been eliminated from the SMP. Instead, the location of the new boat docks will be determined on a first-come basis as requests are received and approved by the Corps.</p>
	346	<p>I am very pleased with the Preferred Alternative for the Shoreline Management Plan. In particular, I am in full agreement that people should not be able to plant grass on Corps property, and that more will hopefully be done to enforce a ban on cutting of natural vegetation. I hope that funds will be available to hire the necessary people to monitor the shoreline for infractions.</p>	<p>Comment noted</p>
	347	<p>I was somewhat disappointed to see that the EIS did not seem to directly address discharges into the Lake from water treatment plants. I believe that no more treatment plant discharges should be allowed into the Lake, and the existing ones need to be monitored more closely. However, I was pleased to see more attention being given to monitoring individual septic systems.</p>	<p>The DEIS addresses the discharge of effluent from wastewater treatment plants using a water quality model to determine short- and long-term effects to the lake from both point and non-point sources of pollution. The Georgia EPD is responsible for determining whether a proposed wastewater treatment plant is permitted to discharge into the lake.</p>



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	348	I fully support the Preferred Alternative over the No Action Alternative. However I would have liked to see some sort of action taken to discourage the use of large cruisers, especially on the North end of the Lake where the waterways are narrow, resulting in severe erosion of the shoreline.	The Corps does not have the authority to limit the size of boats on the lake. However, they can limit the size of boats that can dock at private boat docks. Text in the SMP has been changed to read as follows: "In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities. All vessels moored at private docks must belong to the permittee and in no case shall a vessel be moored to another vessel."
	349	The Preferred Alternative concerning a limit on the number of new boat docks will go a long way towards preventing a further decline in the qualities of Lake Lanier. However, I believe that dock permit holders should be required to replace styrofoam with encapsulated flotation when their dock permits come up for renewal.	Comment noted
Steve Stuart	350	I live in the Lakestone Point area. The entire area of the cove is in the green area except the side of the cove I live on. Our area is yellow zoned. I feel the number of boat docks on the lake should be limited to the number now on the lake. I feel the inspection criteria should be tightened and enforced. If the dock fails the inspection, the permit should be revoked and awarded to someone else, providing the new area does not violate one of the criteria such as, wetlands, shallow, interferes with navigation, etc. I also feel future permits should prefer community docks because they are smaller, more apt to proper maintenance, the design is more controllable, and visually more pleasing to the shoreline. I feel these changes would make the decision of who get a permit more equitable, provide improved shoreline and better maintenance.	Comment Noted
Carl Swigart	351	Grass mowing with a mowing permit in the past has been an acceptable method of erosion control. Why is this now unacceptable? It says that those with grandfathered authorization to mow to cease mowing. Yet, it states that areas where grass mowing is not authorized under the existing shoreline use permits to be revegetated by the permittee or at the Corps's discretion. Discretion to what, stop the mowing, revegetate the area?	<p>Because grass is not a high quality vegetative buffer, it is project policy to restore grassy areas to a more natural state. When such areas are not maintained and woody vegetation has reestablished itself this portion of the permit will not be renewed. During changes of ownerships minimization of permitted mowed areas will be encouraged to help protect the lakes water quality.</p> <p>Revegetation as used in the SMP refers to requiring the replanting of native vegetation on public property to replace what has been removed without a permit. Replacement may be in the form of required planting or natural restoration from the seed bed.</p>
	352	What are the funding alternatives for requiring owners to plant natural vegetation or install riprap or other shoreline or bank stabilization measures when applying for a new shoreline use permit, renewal of a shoreline use permit for a private dock or community boat dock?	Funding of erosion control measures is the responsibility of the shoreline use permittee.

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	353	With regard to septic systems that maybe on public property above the 1085' MSL, I believe the Corps should be responsible to verify whether or not these systems are on Corps property.	During the renewal process for shoreline use permits or when there is a change of ownership of an adjacent property for which there is a shoreline use permit, permittees will be required to have their septic facilities inspected. At that time, the inspector will determine if the septic system is on public property. If it is, the property owner will have to determine if the system is below the 1,085 contour. All septic systems that are currently located on public land below elevation 1085 MSL must be removed. For further details, please refer to the SMP, Section 23, <i>Water Quality</i> .
	354	I do not agree that permits for private or community boat docks be ineligible for renewal for a period of 1 year in the event corrective actions are not taken effectively or in a timely manner. They should be ineligible for renewal up and until corrective actions have been taken and then should be eligible for renewal again.	The permit renewal system allows six months for an owner to take corrective action to renew their permit. If the corrective actions are not completed within the time allowed, court action might become necessary. If the Corps cannot ultimately gain voluntary compliance then the permit cannot be renewed and all facilities must be removed from public property. Reapplication for a new permit will not be accepted for a one-year period.
	355	Under boat dock usage and setting the maximum size limit of boats to the length of the boat dock, I believe there should be some allowable limit to extend out of the dock or allow everyone that has a larger boat to have the maximum size dock (32').	Text in the SMP has been changed to read as follows: "In an effort to provide for safe navigation, reduce potential environmental damage, and improve aesthetics, the length of a vessel allowed at a private dock will be determined by length of the dock, mooring safety requirements and site conditions. Generally, boats that create blind spots, diminish boating safety, or exceed the owner's ability to safely moor and protect from storm damage must be stored in marina facilities. All vessels moored at private docks must belong to the permittee and in no case shall a vessel be moored to another vessel."
	356	How will the USACE determine if public interest is protected and what guidelines will be used to approve dredging?	Permits are issued pursuant to the authority granted under Section 404 of the Federal Water Pollution Control Act (Clean Water Act) and Section 10 of the Rivers and Harbors Appropriation Act of 1899, as amended. To protect the public interest and the environment, all requests are subject to evaluations performed in accordance with the Endangered Species Act, the National Environmental Policy Act, and the Fish and Wildlife Coordination Act, and other appropriate statements.  See SMP Sections 14.3 <i>Section 404 and/or Section 10 Permits</i> and 15.8.12, <i>Silt Removal</i> for the guidelines used by the Corps to approve dredging.
	357	Enforcement/Standards: Across the board this has been described only in the vaguest of terms, particularly with regard to the withholding of dock permits. This needs to be much clearer for something as drastic as withholding dock permits.	Please refer to the Shoreline Management Plan in Appendix F for more detail. See SMP Section 15, <i>Shoreline Use/Permit License</i> , and Exhibits 10 and 11.

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	358	I do not agree with the proposal requiring the mooring of boats in boat slips only. I think a compromise could be to allow one additional boat to be moored to the side of a dock or in the case of a platform dock one boat can be moored to it.	Wording in the Executive Summary has been changed to agree with the completed SMP, which does not have this requirement.
	359	Under sections 10/404 permitting (regional permits for shoreline protection) I believe sea walls or bulkheads should be retained as an alternative for shoreline protection. With many new products coming on the market everyday that are cost effective, longer lasting and require minimal maintenance.	Fluctuating lake levels and the need to preserve public access to lands surrounding Lake Lanier from the shoreline make sea walls less desirable than riprap for shoreline protection. Additionally, sea walls will ultimately fail and often require removal at taxpayer expense.
	360	Question: If the Corps is going to require riprap for new applications or at the renewal of dock permits, will the Corp be required to riprap all of the protected areas and if not, why not)?	<p>Shoreline stabilization measures (rip-rap) may be required with the issuance of new permits that require fixed steps or are located on sites already significantly affected by erosion. One reason the Corps purchases a buffer around the lake is to prevent erosion from reaching private property. Adjacent property owners and in particularly dock owners benefit more than others from erosion control and must bear the cost.</p> <p>This preferred alternative is intended to prevent further erosion problems associated with positioning a boat docks or protect specialized structures requested by the permittee.</p> <p>There is no need for the Corps to riprap protected areas because disruptive activities (such as building a trail to a boat dock or ramp, steps, etc.) that would cause erosion are not allowed to occur in protected areas.</p>
	361	I believe that all hunting on Lake Lanier should be banned.	Hunting is an appropriate wildlife management tool. Hunting on Lake Lanier is limited because of the lake's high density of shoreline development and the potential for conflict between hunters and other lake users. The only hunting permitted lakewide is for waterfowl. Small game, turkey, and archery deer hunting is permitted in Don Carter State Park along the Chattahoochee River.

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<b>Bobby Thomas</b>	362	Regarding the proposed changes in the subject plan, I think it is the universal feeling that the proposal to revoke boat dock permits for violations of vegetation removal is totally absurd and hugely out of proportion to the offense. You are probably well aware that a large portion of the value of a lake front lot is based on a boat dock permit. To revoke the same for some minor infraction of Corps rules, is not equitable and possibly unconstitutional. It represents taking of one's property without due process and without compensation.	As directed by a Congressional mandate, it is the responsibility of the Corps to protect the valuable natural resources at Lake Lanier to promote environmental sustainability through a healthy ecosystem for current and future generations to enjoy. These goals and objectives are pointed out in both the SMP and EIS. Maintenance and preservation of the forest buffer at Lake Lanier contributes to these objectives. To protect the lake's vegetative buffer and water quality, the Corps utilizes many criminal, civil, and administrative penalties. Of these penalties, permit revocation is just one method to deter the unauthorized clearing of public property. The Congressionally-authorized management of public property does not constitute a taking. Obtaining a shoreline use permit is a privilege, not a right.
	363	Encourage cessation of grandfathered mowing and require planting of new vegetation is abusive and cannot be shown to be in the public's best interest. Encouraging cessation of grandfathered mowing has the potential for abuse by those with enforcement powers, which will most assuredly happen. To require property owners to revegetate currently open areas at their expense is also abusive and not equitable. Lake view is a major component of the value of lake lots and to require additional planting that would lessen this value is a taking of private property and cannot be tolerated. These provisions are not in the public's best interest and should not be allowed to stand.	The majority of the lake users do not own a house on Lake Lanier. The shoreline management program, as directed by Congress, includes environmental stewardship and protection of the natural resources under the control of the Corps. There is an overwhelming amount of scientific literature indicating that native trees and shrubs with their deep root systems are much better at holding soil and preventing erosion than species of grass. See Section 19, <i>Buffer Zones</i> , of the SMP.
<b>ANONYMOUS</b>			
LL.10	364	Grass is the no. 1 "Best Management Practice" for preventing erosion and runoff control. Now you want to require grass to be reforested. Who is going to pay for that? How much shoreline erosion will take place before you realize how stupid that is.	Because grass is not a high quality vegetative buffer, it is project policy to restore grassy areas to a more natural state. When such areas are not maintained and woody vegetation has reestablished itself this portion of the permit will not be renewed. During changes of ownerships minimization of permitted mowed areas will be encouraged to help protect the lakes water quality.

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LL.11	365	<p>How typical of the Corps to hold public meetings and never mention requiring residents to rip-rap the shoreline, reforest grass areas, yearly dock inspections by a certified dock inspector ?????, and septic system validations. Then it is made public with only 30 days to respond at CHRISTMAS TIME! This plan will give the Corps all the power they have ever wanted to hold residents' dock permits hostage while the Corp "encourages" residents to pay exhorborant prices to rip rap the PUBLIC shoreline.</p>	<p>The National Environmental Policy Act (NEPA) requires public involvement in the development of an EIS. Per NEPA, the Corps held a public scoping meeting to inform the public of the intent to evaluate the environmental impacts of the operations and maintenance of Lake Lanier and to update the Shoreline Management Plan. In addition, a public meeting was held and a comment period provided when the Draft EIS was completed. In fact, the comment period was extended beyond the time required by NEPA to provide more time to respond due to the Christmas holiday season.</p> <p>Receiving a Shoreline Use Permit to place a private structure on public land is a privilege, not a right. Congress has provided the Corps with the authority to maintain and protect the environmental resources of public land in a high quality condition and to provide public access. The majority of lake users do not live adjacent to the lake and do not hold Shoreline Use Permits. No resident is forced to riprap the public shoreline unless they could potentially adversely affect the public shoreline.</p>
LL.12	366	<p>I commend the Corps on this endeavor to further protect Lake Lanier. My biggest concern has to do with the cost of proposed future shoreline management. I understand that riprap is very expensive, and as much as I might like to contribute by installing riprap or new vegetation along the shoreline, I am doubtful that I will be able to afford the financial cost. Is my dock permit going to be in jeopardy and possibly withheld if I cannot financially afford to do so?</p> <p>If so, I will realize significant diminishment of my property value and quality of life on the lake. I would submit that the size of wakes and violations of the 100 foot rule combined with large variances in water level are somewhat responsible for much of the deterioration and that those users should also contribute to reestablishing the shoreline, as opposed to the full burden being placed on the homeowner.</p>	<p>Shoreline stabilization measures (rip-rap) may be required with the issuance of new permits that require fixed steps or are located on sites already significantly affected by erosion. On existing structures rip-rap may be required should erosion threaten the stability of the structure, in which case some expenditure is unavoidable. Your permit could be in jeopardy if the dock became unsafe as explained in the permit conditions.</p> <p>This preferred alternative is intended to prevent further erosion problems associated with positioning a boat docks and protect specialized structures requested by the permittee. One reason the Corps purchases a buffer around the lake is to prevent erosion from reaching private property. Adjacent property owners and in particularly dock owners benefit more than others from erosion control and must bear the cost.</p>