

1. Purpose	1
2. Objectives	1
3. Authority	2
4. Jurisdiction	2
5. Authorized Project Purposes	2
6. Project Statistics	2
7. References	3
8. Project Description and History	3
9. Master Plan	4
10. Preliminary Planning	4
11. Public Involvement	4
12. Private Boat Dock Carrying Capacity	5
13. General Shoreline Allocation	6
13.1 Prohibited Access Areas.....	7
13.2 Protected Shoreline Areas	7
13.3 Public Recreation Areas.....	8
13.4 Limited Development Areas.....	8
14. Permits For Other Shoreline Uses	8
14.1 Special Event Permits	9
14.2 Specified Act Permits	9
14.3 Section 404 and/or Section 10 Permits	9
15. Shoreline Use Permit/License	10
15.1 Eligibility Requirements	10
15.2 Site Requirements	12
15.3 Floating and Landbased Facilities	13
15.3.1 Floating Facility Types	13
15.3.2 Dock Flotation	14
15.3.3 Dock Structural-Support Systems	14
15.3.4 Dock Ramps and Walkways	15
15.3.5 Dock Roofs and Sundecks	16
15.3.6 Boat Hoists	16
15.3.7 Dock Storage Boxes	16
15.3.8 Dock Paint Coatings	17
15.3.9 Dock Anchoring	17
15.3.10 Electrical Service	17
15.3.11 Pathways and Steps	18
15.3.12 Water Lines and Pumps	19
15.3.13 Telephones and Intercoms	19

15.3.14 Furniture, Decorative Items and Garden Plants, Etc	19
15.4 Facility Inspection Program	20
15.5 Dock Relocation/Access, Low Pool	20
15.6 Facilities For The Disabled.....	20
15.7 Grandfathered Facilities	21
15.8 Land-Use Practices.....	21
15.8.1 Erosion Control.....	21
15.8.2 Land Formations.....	21
15.8.3 Exotic Species.....	22
15.8.4 Chemical Agents.....	22
15.8.5 Fires	22
15.8.6 Mowing or Bushhogging	22
15.8.7 Hazardous Trees	23
15.8.8 Pest Control.....	23
15.8.9 Set-Back Zoning.....	23
15.8.10 Licensed Roads	23
15.8.11 Violation of Permit Conditions/Unauthorized use.....	23
15.8.12 Silt Removal	24
16. Boundary Control	25
17. Encroachment Resolution	25
18. Flowage or Flood Easements	26
19. Buffer Zones	26
20. Forest Management	27
21. Wildlife Management	28
22. Fisheries Management	29
23. Water Quality	29
24. Wetlands	32
25. Aquatic Plants	32
26. Endangered Species	32
27. Cultural and Historic Resources	33
28. Island Management	33
29. Leases	34
30. Commercial Activity	34
31. Regulatory Buoys	34
32. Administrative Review	34
33. Lake Lanier Focus Group	35
34. Summary	35
35. Exhibits	35

1. Purpose

The purpose of the Shoreline Management Plan (SMP), previously known as the Lakeshore Management Plan, is to furnish guidance for the management, protection, and preservation of the lake's environment while allowing a balanced use of the Shoreline. However, the guidelines primarily address the private use of "Limited Development Areas" (LDA). The plan also considers means of restoration of the shoreline where excessive use, misuse or degradation may have occurred. Additionally, the use of modern technology, not available prior to this update, has been used to evaluate, locate and measure the geographical features of Lake Lanier. The corresponding changes are represented in this plan update.

2. Objectives

The objectives of the SMP are:

- A. To insure availability and provide access to project lands and waters while maintaining the shoreline for general public use.
- B. To provide a level of recreational opportunities that does not overly impact project lands and waters.
- C. To promote a reasonably safe and healthful environment for project visitors.
- D. To respond to changing land and water conditions.
- E. To manage project lands in a manner that will conserve natural resources and environmental quality for future generations.
- F. To give special consideration for the protection of threatened and endangered plant and animal species.
- G. To manage recreational and natural resources in a manner that is responsive to the general public.
- H. To reduce or prevent long-term damage or hazards from insect, animal, and other pests.
- I. To manage project shorelines to properly establish, enhance, and maintain acceptable fish and wildlife habitat, aesthetic quality, and sustain natural environmental conditions.
- J. To provide public services through commercial sites and marinas.
- K. To preserve important historic, cultural, and natural aspects of our heritage.
- L. To manage private exclusive use of public property, in a manner that provides the least impact on public use.
- M. To establish a means of education and communication with the project user.
- N. To further provide for the protection of public land and water.

3. Authority

This program has been prepared in accordance with the requirements of Engineering Regulation (ER) 1130-2-406, "Shoreline Management at Civil Works Projects", originally dated December 13, 1974, amended October 31, 1990/September 14, 1992 and May 1999.

4. Jurisdiction

The U.S. Army Corps of Engineers (USACE/Corps) has Proprietary or Managerial jurisdiction on Corps managed Federal lands. Under Section 234 of the Flood Control Act of 1970 certain project personnel may enforce Code of Federal Regulations (CFR) Title 36 part 327 (see Exhibit 11). Under Section 10 of the Rivers and Harbors Act of 1899, as amended and Section 404 of the Clean Water Act of 1977 certain Corps personnel may enforce portions of CFR Title 33 part 200. The State of Georgia and its political subdivisions retain statutory responsibility to enforce state and local laws.

5. Authorized Project Purposes

Congress authorized construction of Lake Lanier in 1946. It became the northern most link in a series of Corps of Engineers built lakes on the Chattahoochee, Apalachicola and Flint River systems. Construction was started in 1951 and completed in 1956 and the lake was fully operational in 1958. The projects purposes (the first 3 are specific, congressionally-authorized purposes, while the latter 3 arise from general statutory authority) are:

1. Flood control-During times of heavy rainfall, run-off waters stored in the lake protect thousands of downstream homes, businesses and farmlands from flooding.
2. Hydroelectric power production -Electricity produced by the powerhouse generators provides pollution free energy peak demand.
3. Navigation -Water stored at Lanier can be released to increase downstream river depths allowing commercial barge navigation of the Lower Chattahoochee River.
4. Water supply and Water Quality – Water stored in the lake is the major water source for 50 percent of the population of Georgia.
5. Recreation -Millions of visitors visit the project annually to enjoy the recreational opportunities the lake provides.
6. Fish and Wildlife Management -The Corps of Engineers and Georgia Department of Natural Resources (GADNR) work jointly to implement management plans to ensure protection and enhancement of these resources.

6. Project Statistics

Lake Lanier is one of the Corps of Engineers' most visited projects. Visitation has increased steadily from 6.7 million visitors in 1994 to 7.8 million visitors in 2000. As metropolitan Atlanta expands northward usage continues to increase. Future projections for the regions population indicates continued growth. See Exhibit 2 for a complete list of project data and a detailed list of project statistical information.

7. References

- A. National Environmental Policy Act of 1969, as amended
- B. Federal Water Pollution Control Act (Clean Water Act of 1977)
- C. Rivers and Harbors Appropriation Act of 1899, as amended
- D. Fish and Wildlife Coordination Act of March 10, 1934, as amended
- E. Endangered Species Act (ESA) of 1973
- F. Public Law 86-717, 74 Statute 817, Forest Conservation
- G. Public Law 99-662, Section 1134(d), Water Resources Development Act of 1986
- H. Executive Order 11752, 'Prevention, Control, and Abatement of Environmental Pollution at Federal Facilities'
- I. CFR, Title 36, part 327 to end
- J. CFR, Title 33, part 200 to end
- K. Engineer Regulation 405-1-12, chapter 8, Real Estate Handbook
- L. Engineer Regulation 1130-2-400, Management of Natural Resources and Outdoor Recreation at Civil Works Water Resource Projects
- M. Engineer Regulation 1130-2-406, Shoreline Management at Civil Works Projects
- N. SADVR 1130-2-12, Construction of Boat Launching Ramps by Non-Government Groups
- O. SADVR 1130-2-14, Use of Lakeshore Land and Water Areas for Minor Private Purposes
- P. SAMOM 1130-2-2, Permitting Procedures for Private Floating Docks
- Q. MOBDR 1130-2-7, Permit System for Lakeshore Activities
- R. Master Plan, Lake Lanier 09/25/1987
- S. SAM SOP 1130-1-1, Resolution of Encroachments and Trespasses
- T. Environmental Impact Statement for Operations and Maintenance at Lake Sidney Lanier 2002
- U. EP 1130-2-550, Project Operations - Recreation Operations and Maintenance Guidance and Procedures

8. Project Description and History

The Corps of Engineers has developed a Geographical Information System (GIS) to produce more accurate statistical data. This information is presented in this SMP update. As a result, Lake Sidney Lanier now has 39,038 surface acres at pool elevation 1071 mean sea level (MSL). Due to Lanier's length and irregular shape it provides a shoreline of approximately 693 miles. Terrain surrounding Lake Sidney Lanier has rather strong relief with the greatest being to the north and northwest of the lake. The Chattahoochee River and its tributaries have cut deep ravines through the Piedmont Plateau producing numerous islands and promontories

that offer superb vistas of the water and opposite shoreline. Streams flowing through the hilly, rugged terrain join to form a very irregular and interesting shoreline.

The shoreline topography varies from rolling to steep. Portions of the shoreline planned for launching ramps, parking areas, picnic areas, swim areas and campgrounds have slopes varying from 5-12 percent. The balance varies from 5-30 percent with occasional steeper slopes.

9. Master Plan

The purpose of the Master Plan is to provide a comprehensive guide for orderly development of project resources in accordance with established laws, regulations, and policies. The first Master Plan, approved on April 29, 1965, established 83 public recreation areas.

Amended on February 24, 1967, this plan allocated 38 areas available for lease to certain quasi-public type organizations. Lake Lanier's current Master Plan was approved September 25, 1987 after 8 years of development. Following approval of the Master Plan, a five year Operational Management Plan for natural resources and park management was developed by the Lake Lanier field office. One of the many components of the Operational Management Plan is shoreline management.

10. Preliminary Planning

The regulation establishing the Lake Sidney Lanier SMP (ER 1130-2-406) was first approved in 1974 then updated in October 1990, September 1992 and May 1999. The development and implementation of Lanier's first SMP took place during 1975-76. Final approval of the plan by the State of Georgia and the South Atlantic Division Commander was received in 1979. The regulation also requires five (5) year reviews and periodic updates as necessary. During the 1984 review it became apparent that a major update was necessary. The updating of the 1979 plan was completed and approved by the South Atlantic Division Commander on January 28, 1988.

During the years that followed, the SMP was reviewed without modification pending an update of the Lake Lanier Environmental Impact Statement (EIS) as required by the National Environmental Policy Act (NEPA). The initial Environmental Statement was completed in 1974 and is not inclusive of current plans and operational conditions. A current EIS was considered crucial prior to the updating of the SMP. These two efforts, which are separate processes with separate goals, will complement and support each other to provide the Corps with current tools and documentation to help guide the management of Lake Lanier into the future. This updated SMP represents the shoreline management component of the preferred alternatives that have been evaluated and listed in the EIS.

11. Public Involvement

Notification was provided to the appropriate congressional delegations, local elected officials, and other Federal and State agencies responsible for various aspects of Lake Lanier. On September 20, 2001, the Corps of Engineers hosted a focus group meeting to initiate the

public process. The focus group consisted of members representing a variety of backgrounds and interests including area residents, water quality experts, developers, lake related commercial interests, state and local government, environmental and special interest groups.

The public process continued with three public meetings in the Lake Lanier area. Each public meeting was conducted as an open house allowing interested parties to attend between the hours of 1:00 pm and 9:00 pm. Participants were given focus group summaries and comment sheets to facilitate their feedback. Comments were provided in person, by mail, and at the projects website. Public meetings were held at the following locations:

Gainesville College Oakwood, GA, October 22, 2001

Sawnee Center, Cumming, GA, October 25, 2001

Gainesville Civic Center, Gainesville GA, Nov 7, 2001

Following the public meetings and the preparation of the Preliminary Draft SMP a second focus group meeting was held on September 9, 2002. Additionally, the plan was reviewed by the Mobile District Corps office prior to being presented to the public in final draft form on November 19, 2002.

12. Private Boat Dock Carrying Capacity

In support of the SMP update and in conjunction with the EIS, a Private Boat Dock Carrying Capacity Study was completed. This study was conducted to examine the relationship between private boat dock permitting guidelines at the lake and future shoreline dock density. The study focused on one aspect of the future management of Lake Sidney Lanier: To determine the maximum number of private boat docks that could be permitted within LDAs. The study, therefore, estimates the maximum number of private boat docks under a variety of different alternatives. The alternatives differ primarily in how boat docks are spaced along the shoreline. The purposes of the study were as follows:

- To examine data related to current number and density of private boat docks on Lake Lanier.
- To determine the effect of current Corps private dock permitting practices on LDAs.
- To determine potential future lake conditions based on different dock permitting scenarios.
- To determine the potential number of boat docks the lake could accommodate in accordance with applicable regulations.
- To suggest changes to SMP guidelines to ensure a healthy future lake.

Based on the study, management objectives were developed to include the total number of future boat docks. An evaluation of the entire Limited Development Shoreline zoning on Lake Lanier revealed that the preferred alternative allowed a total of 10,615 boat docks.

Once this total number is reached no new permit requests will be accepted. Appropriate public notice will be issued before saturation is reached. It is anticipated that the historical average number of new permits issued each year (150) will not remain constant. New developments have taken advantage of community docks, which are issued in advance of final subdivision development and will increase the rate which

permits are issued. Community boat dock slips will be calculated against the total at a ratio of two slips equals one permit.

Table 2-14
Summary of Future Dock Permitting Scenarios

Scenario	Number of Existing Docks ¹	Potential Additional Docks	Potential Total Docks	Percent Change in Number of Docks
No Action	8,593	16,734	25,327	195
Preferred Alternative	8,593	2,022	10,615	24

¹ Includes 8,348 private boat docks and the equivalent of 245 boat docks in community docks 2002.

13. General Shoreline Allocation

The increased use of public land and rapid development of adjacent private properties prompted the creation of the SMP. This plan is a guide for the protection, development, and balanced use of the lake's shoreline. The plan has been developed in accordance with applicable regulations and policies. In part, the initial purpose of the SMP was to zone various segments of the shoreline to aid in the protection and orderly management of a diversely used resource. The shoreline allocations are depicted on map pages located at the Operations Manager's Office or at <http://gis.sam.usace.army.mil>.

Lake Lanier Shoreline Allocations (Elevation 1071 feet MSL)

Allocation ¹	Shoreline Length (miles)	Percent of Total Shoreline	Acres	Percent of Project Property
Limited Development Areas (LDA)	344.70			
LDA in water ¹	9.13			
Total LDA	353.83	47.0%	6,186.6	34.9%
Protected along <i>main</i> shoreline	177.44	23.6	5,079.8	28.6%
Protected in water	3.14			
Protected along <i>island</i> shoreline	59.28	7.9%	1,083.9	6.1%
Total Protected	239.86	31.9%	6,163.6	34.7%
Recreation along <i>main</i> shoreline	136.80	18.2%	4,479.1%	25.2
Recreation in water	0.28			
Lake Lanier Islands Resort islands	19.53	2.6%	850.4	4.8%

Total Recreation	156.61	20.8%	5,329.5	30.0%
Prohibited Areas	1.74	0.2%	64.9	0.4%
Total Allocation	752.05	100.0%	17,744.6	100.0%
Total Main Shoreline ²	692.77			
Total Island Shoreline	59.28		1,083.9	
Total Shoreline	752.05			
Total Lake Surface Area at 1,071			39,038.1	

¹“In water” refers to areas where the Corps boundary runs into the water. It is assumed that the shoreline paralleling these segments is of the same allocation as the adjacent shoreline segments.

² Includes Lake Lanier Islands Resort islands.

To maintain a balance between public and private uses, areas presently allocated as "Public Recreation and Protected Shoreline" must be preserved and not converted to LDAs. As demands for recreation increases, these areas will be available for future development. Some of these areas may remain undeveloped, but even when left undisturbed, provide considerable value to the project for current and future generations. These values include, but are not limited to timber, wildlife, esthetics, and natural areas for general public uses such as hiking, fishing or picnicking.

13.1 Prohibited Access Areas

This classification protects certain project operation areas and the recreational visitor. Although restricted visitation is allowed at most of these sites, Shoreline Use Permits are not issued for these locations. The only areas allocated under this classification are in the proximity of the powerhouse intakes, dam, saddle dikes, spillway, tailrace, and Corps marine yard. Less than two miles of shoreline is classified as "Prohibited Access". These areas are shown in orange on Exhibit 1.

13.2 Protected Shoreline Areas

Areas are designated "protected" to preserve the scenic appeal of a lake that has become urban; to avoid conflict between private and public uses; to protect specific habitat for fish and wildlife; to protect cultural, historical, and archaeological sites; to protect endangered species; to protect navigation channels; to restrict placement of floating facilities in areas too shallow for navigation or too exposed to winds and currents; and to protect important natural formations and vistas.

Passive recreational use is permitted along protected shoreline provided that aesthetic, environmental, historical, or natural resource values are not negatively impacted; however, private recreational facilities will not be authorized at these locations. Approximately 24 percent of the shoreline is allocated in the "Protected" classification. Additionally, all islands with the exception of those leased to Lake Lanier Islands share this allocation zoning. These areas are shown in yellow on Exhibit 1. Public safety, environmental stewardship and

sustainability are the Corps principal concerns along common boundaries fronting protected shoreline.

13.3 Public Recreation Areas

Although most of the project is considered available for limited recreational purposes, specific areas are set aside for intensive recreational development and use. These sites include campgrounds, day-use parks, primitive or natural areas, lands leased to public groups and other local, state or federal agencies for recreational use or development and marine services.

Permits for private shoreline use facilities are not granted in public recreation areas. Commercial activity is prohibited in all of these areas without a permit. Authorization for any commercial activity is restricted to those sites currently designated for commercial purpose. These sites include the lake's marinas, leased club sites and the Lake Lanier Islands complex. The Corps primary management concerns in public recreation areas are to provide sites suitable for quality recreational experiences with facilities that can sustain intensive use, are vandal resistant, reasonably safe, and large enough to support normal weekend use during the peak recreation season. Locations of these sites are shown in red on Exhibit 1. Approximately 21 percent of the shoreline is classified as "Public Recreation".

13.4 Limited Development Areas

Specific private uses of public lands may be permitted along shoreline designated "Limited Development" as identified in green on Exhibit 1. Permit applications will be considered individually on their own merits utilizing SMP guidelines. Comparisons to other existing situations are not practical due to the evolution and changes in public laws, regulations, and policies. The issuance of a Shoreline Use Permit/License does not preclude use of the shoreline by the general public. However, personal properties authorized for placement are the permittee's private belongings. Unauthorized intrusion upon private floating facilities or picnic shelters is considered a trespass and could be reported to the proper local authorities. However, pedestrian traffic and general public use of the lake and shoreline cannot be restricted or denied. Permit holders who attempt to preclude such uses are in violation of permit conditions and are subject to enforcement action as well as permit revocation requiring removal of all previously authorized facilities. Approximately 47 percent of shoreline is classified as "Limited Development".

14. Permits for Other Shoreline Uses

As with any large multi-use facility the demand for space on Lake Lanier must be regulated to encourage proper utilization and promote public safety. It is the intent of this section to describe the activities that are allowed and what permits are applicable other than those authorized by a Shoreline Use Permit/License. All permit requests are subject to review and may be granted only if public law and regulatory guidance requirements are met, and if they are consistent with the Corps' environmental stewardship and sustainable management policies.

14.1 Special Event Permits

Special Event Permits are required for recreational use of the project when more than 25 persons or vessels are involved in a proposed activity. Generally speaking it is not the intent of this program to deny use of the project. It is, however, necessary to insure that environmental issues are addressed; regulatory guidance is reviewed; public safety is considered; space is available; the rights of others are not effected; and the activity can in fact be authorized. Permits issued by the Corps for special events do not relieve the permittee from obtaining similar local or state authorization, if required. Examples of special events permits are sailing regattas, fishing tournaments, company or corporate outings, water ski demonstrations, etc. Fees may be assessed.

14.2 Specified Act Permits

Specified Act permits may be granted to perform certain one-time only acts of a minor nature such as removal of hazardous trees, exotic plants such as kudzu or English ivy, or noxious plants such as poison oak/ivy, or sumac; plant native species; establish footpaths; etc. The permit will detail the authorized work including the methods to be employed, time frames, location, equipment to be used if any, and restoration of public land if necessary. A drawing or plan including photographs may be required. The Specified Act Permit is issued for short term only. Specified Act Permits are not issued for activities that will damage, destroy or significantly alter public lands. Each request for a Specified Act Permit will be reviewed based on environmental law and regulation, and authorization will be based upon the projects own merits.

14.3 Section 404 and/or Section 10 Permits

Lake Lanier is considered both Waters of the State of Georgia and Waters of the United States/navigable waters. Federal 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. All applications are subject to the ESA, the NEPA, the Fish and Wildlife Coordination Act, the National Historic Preservation Act, and other environmental or cultural resources laws and regulations. Certain activities such as dredging, rip-rapping, construction of outfall lines, intake structures, other fixed structures, fill and the discharge of dredged or fill material, etc., into either navigable waters or waters of the U.S. may be permitted in accordance with CFR Title 33 parts 322 & 323 provided it is not prohibited by CFR Title 36 part 327, the SMP, environmental or cultural resources law, or the public interest review process.

Lake Lanier, as well as the other Mobile District water resource development projects within the state of Georgia, are granted Regional Authority to issue permits by the Savannah District Regulatory Functions Branch. The Savannah District Engineer has issued 16 regional permits that can be issued by the Operations Manager for minor structures and activities in waters of the United States if authorized by the SMP.

Applications for permits must contain plans and specifications that sufficiently depict the actions requested and clearly indicate that work will be performed in compliance with permit conditions. Regional permit requests can be considered for each adjacent landowner, however, work performed under previous permits for similar actions nearby should be considered for consistency and compatibility. For this reason, rip-rap is the preferred method of shoreline stabilization. Sea walls and gabion baskets will be considered only when rip-rap is not a functional alternative.

Individual and nationwide permits are used to authorize projects that do not fit within the Regional Permits limitations. These activities include large scale dredging projects to a single entity and structures that require dredging or shoreline stabilization. Individual and nationwide permits require coordination with project staff and the North Area Section Office of the Savannah Regulatory Functions Branch. Pre-construction meetings often identify potential controversy and allow the applicant to anticipate potential impacts. All applications for work on Lake Lanier must be submitted to the Lanier Project Management Operations office. Exhibit 7 provides more detail of items possibly permitted under Sections 404 and 10.

Violations of the Clean Water Act or Rivers and Harbors Act authorizations or permits carry statutory remedies, including injunctive relief (restoration), civil penalties, and potential criminal penalties.

15. Shoreline Use Permit/License

This is a **temporary** permit used to authorize specific private use of public shoreline designated as "Limited Development". Authority to issue these permits has been delegated to the Operations Manager and is issued for the purpose of recreational use only. Permittees must remain in compliance with the terms and conditions of the permit, the SMP, SAM-SOP-1130-1-1, ER 1130-2-406, and CFR Title 36 Section 327 to remain valid. A list of facilities that can be authorized is identified in Exhibit 9.

15.1 Eligibility Requirements

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 all applicable policies and regulations. 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 Manager's office of their purchase and make application for a new permit.

To reduce environmental impacts to public property, community docks are now the preferred method of shoreline access and boat moorage. Community docks focus shoreline facilities in the most desirable location taking advantage of maximum water depth, slopes used for access and allow for the protection of important natural features. Property owners benefit from an upfront knowledge of the available permitted actions and can pursue completion without the delays associated with individual permitting. This concept supports local municipal zoning ordinances requiring "Planned Community Developments" or PUD. For this reason, community docks are required for all new residential developments where their use would

reduce negative environmental impacts and provide greater protection of public land. New residential developments are defined as a property or properties receiving final plat approval after the implementation date of this plan. If the development is a PUD then community docks will be required. When evaluating requests for new docks the total shoreline frontage associated with the private property will be identified. If the multi-slip facilities can be accommodated within 20 percent or less of the total leaving 80 percent or more to be rezoned as protected shoreline, a community dock will be required. Requests that do not meet this guidance can be further evaluated based on their environmental benefits and public interest. If site conditions prohibit the use of a community dock the Operations Manager may permit a variance for the use of private individual docks. It is not intended that this use be applied to an existing isolated lot. A community dock is intended to provide access to property owners, who would have otherwise qualified for a private individual dock under the guidance set forth in this plan. Accordingly, two slips within a community dock will be equivalent to one private boat dock in the Private Boat Dock Carrying Capacity Study.

Following the issuance of a community dock permit the remaining shoreline and adjacent public property will be rezoned as "Protected". No new private boat dock facilities will be permitted at these locations. The Corps will encourage existing private dock permittees in previously developed areas who desire 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, parking facilities and boat storage will be maintained on private property.

Property owners may establish an association to apply for a jointly owned courtesy facility on public land where private lands provide common access to public property. Such facilities are for all residents of the subdivision. Floating facilities authorized through associations are for courtesy use only, not for overnight storage or mooring purposes. Courtesy docks may not exceed 192 square feet.

Site appointments are required with an area ranger prior to the issuance of a permit for private docks and related facilities. Appointments will be scheduled through the Operations Manager's Office. During the appointment rangers will evaluate the location and facilities requested and provide an application package if site requirements are met (see section 15.2 Site Requirements). The location of facilities will be identified and reserved for a 90-day period from the date of the appointment. If applications are not received within this period the site will no longer be reserved. Once the application package is received the eligibility requirements will be evaluated. If all criteria are met then the facilities requested will be authorized by permit.

For those individuals who qualify for private dock permits the following requirements apply. Individual lots must have a minimum of 82 feet of private land adjoining public property. This frontage must provide unrestricted legal access to public lands that are zoned "Limited Development". This requirement is not intended to apply to existing platted lots previously eligible for permit unless modified. Proof of the required access may be satisfied by submitting either a copy of a recorded deed containing an adequate legal description or notarized closing statement. Either document must be accompanied by the current property plat. Failure to provide proof of ownership, access, and a plat will result in denial of a request.

Only one dock permit will be allowed per household. Multiple persons listed on a deed will be considered as one adjacent landowner and therefore ineligible for new permits. Permits will be issued on a first applicant basis. Permits are not issued for speculative purposes, enhancement of private property or to persons renting private property. The permittee must be the primary user and owner of facilities permitted. Permits are not issued to minors.

Permits are temporary in nature with termination dates. The issuance of a permit is a privilege and does not infer private ownership or rights to public lands. Under no circumstances should any individual proceed with installation of facilities until a valid permit is in hand. Structures placed on public lands via a Shoreline Use Permit/License are private property on public lands authorized only for the term of the permit. Structures or belongings not covered by a valid permit on public lands will be subject to removal entirely at the landowner's expense.

15.2 Site Requirements

Proposed locations for placement of facilities via permit must conform to the SMP and Allocation Map (Exhibit 1). This map identifies the zoning of all public lands. New facilities will be considered in "Limited Development" shoreline only. Additionally, the location of the proposed facilities must not cause a safety hazard to the applicant/user or general public. 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. Regional permit authority for steps is limited to a maximum of 20 feet in length and not extend more than 10 feet lakeward from the top of the bank (see Exhibit 4). Shoreline areas that require more than the maximum length of steps will be considered unsafe and grounds for permit denial and rezoning.

The selected site for any floating facility must be at the nearest point of shoreline to the adjacent owner's private property. Distance to the nearest point on water has no bearing on the issuance or denial of a permit. Deviations of not more than one hundred (100) feet left or right of this point may be considered if water depth or spacing is a problem. However, placement should not be made that would produce a crossing or crossover situation; for example, an applicant's facilities should not go beyond existing neighboring facilities. Crossover situations cause community discord and therefore, will not be authorized. Private property lines do not extend onto public lands and do not indicate rights or privileges to or on government property not afforded any other member of the general public; nor does adjacent land ownership guarantee privacy or imply exclusive use of public shoreline.

The proposed location for any new floating facility must provide at least a fifty (50) foot buffer area between existing or proposed structures at full pool elevations. This buffer is from the nearest point of one facility to the nearest point of the second facility and applies to across cove situations as well.

In an effort to provide for safe navigation, reduce potential environmental damage, and improve esthetics, 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 docks ability to safely moor and

protect from storm damage must be stored in marina facilities. Permittees may not rent out moorage space on private docks and in no case shall a vessel be moored to another vessel.

All intended boat-mooring sites will allow for six (6) feet of water under the dock at the dock's lakeside or slip end to prevent damage to boating equipment and to allow for water fluctuation. This requirement is subject to change based on the outcome of the Alabama-Coosa-Tallapoosa (ACT) and Apalachicola-Chattahoochee-Flint (ACF) Water Allocation Compact Study and its effects on the future lake levels at Lake Lanier.

At locations selected for private floating facility the center one-third of the cove or channel must be left open for navigation. Community docks require one half of the cove be left open for navigation. At no time may the length of any dock including any moored vessel extend into this protected navigation channel at full pool elevation. Corps policy is to regain this navigable space when considering replacement facilities under existing permits. All new facilities will be placed or replaced in such a way as to have the least impact on navigation. During periods of low water navigation channels will not be obstructed.

Permits may not be issued in "Limited Development" zoned locations where endangered species exist, at cultural or historic sites, areas where the shoreline slope can not be accessed with the maximum authorized fixed steps, or in areas determined to be wetlands in accordance with CFR Title 33. Such locations will be rezoned to "Protected" shoreline.

15.3 Floating and Land Based Facilities

The Operations Manager is authorized to issue a Shoreline Use Permit/License for a floating facility, utility rights-of-way, improved shoreline access, etc. For a complete list of the items currently authorized as well as those "Grandfathered". See Exhibit 9.

15.3.1 Floating Facility Types

In accordance with ER 1130-2-406 floating facilities will be permitted for the purpose of docking or mooring a vessel for private, not commercial use. It is important to note that the permit calls for a floating facility not fixed or suspended and the permit is issued for the purpose of boat storage and related boating apparatus only.

Private floating facilities eligible for permitting are as follows:

Boat dock: A structure with or without a roof, without sides/walls (completely enclosed) unless existing and grandfathered, with storage slip(s) for docking or mooring a vessel. Such structures will not exceed a maximum dimension of 32 feet by 32 feet. The aggregate slip size will not exceed 20 feet (wide) by 28 feet (long). Walkways must be a minimum of 4 feet wide. The maximum dimension will include any platform/deck added or constructed to the docking facility. The maximum dimension of any attached platform/deck will not exceed 192 square feet. For the purposes of determining width from length on any type of floating facility, width will always be that portion parallel to the shoreline; length will always be that portion perpendicular to the shoreline. NOTE: The smallest dock to be permitted will be no smaller than 18 feet by 24 feet providing a 10-foot by 20-foot slip. All new dock

construction will be open-sided (without sides/walls) due to the following: inspection requirements, unauthorized use and storage (indicating human habitation and unsanitary conditions), reduced visual obstruction to shoreline esthetics, and reduced storm and wind damage to the structure. A roof with straight-line design and minimum pitch from the centerline ridge is recommended. Roof decks will be allowed, but structural integrity is critical when covered with furniture and occupied by several persons (cases of collapse have been recorded).

Platform/T-dock: 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.

Mooring Buoys: Although provisions for mooring buoys are provided in ER 1130-2-406, these are no longer permitted on Lake Lanier due to the demand for public space and previous safety problems caused by their presence.

15.3.2 Dock Flotation

Flotation material is a substance used to float a mooring facility on the waters surface.

Floats and the flotation material for all docks shall be fabricated of materials manufactured for marine use. The float and its flotation material shall be 100 percent warranted for a minimum of eight (8) years against sinking, becoming waterlogged, cracking, peeling, fragmenting, or losing beads. All floats shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. All floats and the flotation material used in them shall be fire resistant. Any float which is within 40 feet of a line carrying fuel shall be 100 percent impervious to water and fuel. The use of new or recycled plastic or metal drums or non-compartmentalized air containers for encasement or floats is prohibited. For any floats installed after the effective date of this specification, repair or replacement shall be required when it or its flotation material no longer performs its designated function or it fails to meet the specifications for which it was originally warranted.

15.3.3 Dock Structural-Support Systems

Materials commonly used for joists, rafters, studding and decking are wood and/or metal. All wood shall be pressure treated with environmentally friendly chemicals; arsenic treated wood materials are prohibited. Metal decking is discouraged due to repair difficulties and slip hazards once the metal becomes damp from mud, rain, ice or snow. Metal should primarily be used for support functions not decking. Metal decking, if used, must be designed for this purpose and have a nonskid tread.

Wood construction is considered unsafe when nails, bolts, or screws are protruding to cause a trip hazard; when materials become partially decayed or slick from use; when materials become ripped, jagged, pointed, splintered from wind or other factors; when wood supports and decking become loose or missing, when wooden materials protrude beyond the defined limits of the structure's approved dimensions.

Metal construction is considered unsafe when it becomes pointed, sharp or jagged from wear, rust or wind damage; when bolts, screws, etc., become loose causing a trip hazard or allowing the structure to become partially unstable; when metal joints lose structural strength due to broken welds or rust; when metals protrude beyond the defined limits of the floating facility's approved dimensions; or when portions of metal decking is missing. Under these and other unsafe conditions the permittee must repair, remove and/or replace the facility in accordance with current standards.

Permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. The Operations Manager will notify the permittee of any deficiencies and establish a reasonable schedule for their correction. No deviation or changes from approved plans will be allowed without prior written approval of the Operations Manager.

15.3.4 Dock Ramps and Walkways

All dock ramps and walkways may be constructed of treaded metal, lumber treated with environmentally suitable chemicals, or marine products with skid resistant surfaces. Coverings such as carpet limit the inspection of the facility, promote decay, and create slippery surfaces. Due to these safety concerns carpet and other unsuitable coverings are prohibited and require removal.

Unless otherwise approved dock walkways shall be at least four (4) feet, but not more than six (6) feet wide. Walkways less than four feet wide are not allowed due to safety considerations. However, walkways previously approved that are less than four feet wide or more than four (4) feet above the ground or water surface must have handrails 36-48 inches high with an intermediate guardrail approximately one-half the distance below the top rail. For the purpose of determining the dimensions of an attached platform, four (4) feet of walkway adjacent to the slip is not considered a portion of the attached platform.

Approach walkways leading to docks will not be less than four (4) nor more than six (6) feet in width nor exceed forty (40) feet in length. If land-based fixed steps are approved in conjunction with the approach walkway, the steps shall not exceed six (6) feet in width and be no longer than 20 feet in length (see section 15.2 "Site Requirements"). Because fixed piers obstruct lake access during low lake levels, no new authorizations will be granted. Additionally, these walkways will not lead to the upper level/roof of a dock facility. Existing structures of this type will be grandfathered. All approach walkways four (4) feet above water or ground surface must have handrails 36-48 inches high with an intermediate guardrail approximately one-half the distance below the top rail. All safety rails must be made of continuous rigid material. All approach walkways must be floating unless otherwise approved by the Operations Manager. All floating facilities must have an approach walkway. The minimum approach walkway dimension is sixteen (16) feet long by four (4) feet wide.

Walkways found to be in excess of the permitted length will generally require removal. If a determination is made that the existing length is required to meet the minimum depth standard of six (6) feet at full pool and all other site requirements are in compliance an exception may be considered.

All walking surfaces of floating facilities are considered unsafe when not structurally sound; having obstructions restricting the walking surface; when not kept free of carpet, protruding nails, screws, mud, grease, oils, soaps, or any material that would create a trip hazard; when not free from excessive spring, deflection, or lateral movement; when not supported by adequate flotation; and/or when pieces or sections of decking are missing. Handrails are considered unsafe when toe-nail construction has been used; when handrails have been installed too low or too widely gapped to be effective; or any other condition that might make the walkway unsafe.

15.3.5 Dock Roofs and Sundecks

Although roofs may be constructed to allow for an upper sundeck, applicants are encouraged to erect floating facilities with gabled superstructure having the minimum possible pitch for the material used. Maximum slope shall not exceed 3(vertical) on 12 (horizontal). Roofs may be constructed with either wood and shingle, or metal products. If an upper roof sundeck is constructed the entire rim of the upper structure's roof-deck must be enclosed with a continuous rigid retaining rail. The rails shall be 36-48 inches high with an intermediate guardrail approximately one-half the distance below the top rail. A permanent and/or fixed bench and rail combination may be constructed along the interior perimeter of the upper roof-deck. Single level roofs are authorized; however, any type of covering that establishes a second level roof or room, whole or in part is prohibited.

Roofs are considered unsafe when one or more of the following applies: material failure; the substructure or superstructure is damaged, rotting, or not structurally sound; the outer perimeter of the roof-deck is not completely enclosed; safety rails are damaged, failing, or poorly constructed (toe-nail construction of safety rails is poor construction); pieces or sections of decking or roofing are missing; steps leading to the roof are poorly constructed, improperly affixed to the main dock structure not stable; or any other condition that might make the roof unsafe.

15.3.6 Boat Hoists

Boat slips may contain floating or suspended hoists. Suspended boat hoists are only permitted when the applicant submits certified engineering drawings that guarantee the dock and lift capacity for the vessel being stored. Floating boatlifts must be attached to the substructure. 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.

15.3.7 Dock Storage Boxes

Enclosed storage on a floating facility will be limited to the maximum dimensions of eight (8) feet long, four (4) feet wide, and two and one half (2 ½) feet high. Storage boxes may not interfere with walk space. Dock storage boxes are authorized for storage of water related recreation equipment only. Boat docks are not to be used for general storage and no flammable liquids may be left unattended.

15.3.8 Dock Paint Coatings

Permittees are not required to paint metal or stain wood components of their facilities. However, if painted, colors such as dark browns, black and dark greens that blend with the natural surroundings are required. Bright colors are not authorized. Wood surfaces may be left untreated to weather naturally.

15.3.9 Dock Anchoring

An anchorage system shall be provided which will ensure secure anchoring of the floating facility taking into consideration the water depth, exposure to wave action, and wind. Shoreline trees or other natural features will not be used as anchors. To prevent stress, floating facilities will be anchored perpendicular to the shoreline with anchor cables placed at 45-degree angles to the shoreline. Anchor posts with sleeves resting on the lake bottom may be used without cables; however, if this is not sufficient, cable(s) will be required in conjunction with anchor post(s). A maximum of two (2) anchor posts can be used provided they are installed on the shoreline side of the dock. The permit holder must ensure that floating facilities never become elevated above the ground or water, and prevent the loss of post during periods of lake level fluctuation. Anchor cables may be secured to the shoreline with metal or wooden posts, or screw augers placed so not to endanger visitors or damage vegetation. Metal anchor posts are preferred since additional grounding is afforded in case of electrical failure. Care should be exercised when installing metal anchor posts. If the metal post is driven into the ground, the metal may split or become jagged creating a safety hazard that must be corrected. The floating facility must be either floating or resting on the ground at all times.

Anchor cables may not obstruct the public's use of the shoreline or water surface. Excessive cabling is not allowed if it blocks off an area for private use. Cables exceeding 45-degree angles may require reinstallation upon inspection. Cables shall be maintained in a taut condition. Cables shall not cross those of an adjacent facility. No other cable or anchoring devices will be permitted on the lake bottom. Cables may not be lined with Styrofoam or plastic jugs, etc. due to esthetics. Floating facilities should not share the same anchor post.

15.3.10 Electrical Service

Current requirements for installation and use of electric service on public lands at Lake Lanier were adopted November 27, 1985 (See Exhibit 3). This requirement slightly exceeds the National Electric Code (NEC). This standard insists that all convenience receptacles and lighting have ground-fault protections.

Item "D-3" of the requirements advises that flexible cord types (those normally used for ship to shore power with twist lock connections) are to be used to tie service from the ground fault interrupter (GFI) to the dock.

Light fixtures must be shielded or otherwise constructed so that residents or boaters are not blinded by the glare from lights. Dock lighting must not protrude beyond the floating facility structure and must be pointed downward.

Regardless of the age, condition or Grandfathered provision, all electrical service must have GFI protection and be buried underground to meet requirements. Recertification is required at each permit renewal, change of ownership or at any time an inspection reveals that the service does not meet requirements. See Exhibit 3.

15.3.11 Pathways and Steps

Meandering pedestrian pathways may be created for access to the permitted facilities at no fee. Pathways will follow a meandering route that conforms to the topography as much as possible to help prevent erosion, avoid the need for removal of vegetation, and prevent the construction of bridges or steps. All work will be completed with hand tools only unless otherwise authorized in writing by the Operations Manager. If surface treatment is required to prevent erosion or fill depressions, wood chips or on-site forest litter are recommended. If erosion is evident due to continued foot traffic and water run off, intermittent water breaks may be necessary.

If slopes prohibit safe access by means of a natural path then steps or a bridge creating the least environmental impacts may be authorized under permit with a fee. Materials used to create these structures must be properly treated and environmentally friendly, no wood treated with arsenic will be authorized. All steps must be constructed of at least eight (8) inches wide by six (6) inches high material without borders. Every effort should be made to prevent continuous running steps. Steps may not be elevated nor create a boardwalk. Steps or landings may not be erected in a manner to create patios. Unless the steepness of the slope dictates it or handicap needs demand it, steps should be constructed without handrails. All steps must be constructed at contour or ground level. If backfilling is required, the surface treatment must be wood chips or similar mulch. Landscape timbers are not authorized for step construction due to safety considerations.

Footbridges may only be authorized if there are no other alternatives to provide safe access. Footbridges may not exceed four (4) feet in width. All foot bridges more than four (4) feet above the surface of the ground must have a handrail. The rails shall be 36-48 inches high with an intermediate guardrail approximately one-half the distance below the top rail. The pathway permit does not convey the right to use equipment or construct any other structure unless specifically authorized.

Pedestrian access lighting may be installed underground following the meandering footpath. Permit holders are required to use mushroom style lighting, not to exceed a height of two (2) feet. See Exhibit 3, " Requirements for Installation and Use of Electric Service on Government Property at Lake Lanier". Existing pathway lighting not meeting this standard will require replacement upon repair.

Natural pathways are considered unsafe when the terrain is too steep to safely access the shoreline, thus requiring improved steps. Pathways must remain free of stumps, snags and other tripping hazards. Steps are considered unsafe and unauthorized when poorly placed or constructed so that the step is loose; or when materials are defective damaged, or decaying.

15.3.12 Water Lines and Pumps

Water lines not-to-exceed two (2) inches in diameter may be installed underground and must follow the access path. Water lines may be placed in the same trench as the electric line in accordance with National Electric Code specifications. Water lines may be installed to deliver fresh or raw water or both. Pumps associated with water lines must be electric, may not exceed two (2) horsepower and must be installed on the floating facility. Pumps and electrical components will not be submerged. Electrical service must conform to Exhibit 3. All water lines must be attached to the dock and/or ramp and may not be submerged. Water faucets may be placed on the dock and/or land. The installation of water faucets should be inconspicuous or low profile and must not exceed thirty (30) inches in height. Waterlines for the withdrawal and subsequent redelivery of water for the purposes of heat pump service are prohibited unless a National Pollutant Discharge Elimination System (NPDES) Permit has been obtained from the State of Georgia.

No new landbased pump houses will be authorized. Removal of existing pump houses will be required if the facility is not a well-constructed shed type facility, the well is abandoned, or if the structure needs major repair.

15.3.13 Telephones and Intercoms

Telephone service may be authorized; however, use of cellular telephones is encouraged. Telephone lines must be installed underground in the same trench as other electrical wiring. Intercom lines may be installed along with other electrical services.

15.3.14 Furniture, Decorative Items and Garden Plants, Etc

Docks are permitted for the purpose of providing moorage for vessels. However, it is recognized that docks may serve multiple purposes and may be used for fishing, sunbathing, or other leisure activities where furniture may be desired. Outdoor or patio type furniture may be used on upper or lower sundecks provided the furniture does not restrict or interfere with the walkways or otherwise cause a hazard. Four-foot wide dock sections are not considered adequate to accommodate furniture. Due to wind and wave action, dock owners are encouraged to securely attach furniture to the dock or remove it when not in use.

Diving boards/structures of any type as well as sliding boards, hammocks and playground equipment are prohibited. Additionally, items such as indoor furniture or objects that denote habitation such as, but not limited to couches, sinks, cabinets, appliances, satellite dishes, security cameras and permanent stereo systems are prohibited.

Outdoor furniture may be placed on 'grandfathered' picnic shelters and patios. However, outdoor furniture may only be placed on 'grandfathered' patios during actual use and may not be left more than 24 hours. Neither picnic shelters nor landbased boat shelters may be used or converted to storage shelters or habitable structures.

Decorative items, house and garden plants, Christmas trees and lights, signs, or banners and other similar commodities are prohibited on public land and on private facilities located on public property.

15.4 Facility Inspection Program

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 trained "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 permit holders at a minimum, a Corps of Engineers inspection report that details the deficiencies found and where appropriate, the inspector's final inspection and certification that the facilities are in full compliance of the permit conditions. The final determination of compliance or noncompliance will rest with the Operations Manager or his designee. Payment of costs associated with the inspection along with the submission of full application package including certifications will be the responsibility of the permit holder.

In order to be Corps trained to perform facility inspections an individual will be required to attend an orientation session held at the Operations Managers Office. The orientation will acquaint inspectors with Corps requirements, boundary identification, and permit conditions. Required inspection and certification forms will be located on the Lake Sidney Lanier web site. See Exhibit 3.

Permittees who determine to replace their existing dock must request an appointment with their area ranger to discuss size and location. After the previous facility has been removed the replacement facility may be installed anytime within the five-year permit period. If the identified deficiencies are not corrected in a reasonable amount of time the permit will not be renewed and all facilities must be removed from public property.

15.5 Dock Relocation/Access, Low Pool

During periods of low lake levels floating facilities may be moved to follow the receding shoreline as long as one third of the channel remains open for navigation and safety is not an issue. Permittees have the option to move docks laterally but not beyond or crossing any neighboring facilities and not within the boundaries of "protected" or "recreation" zoned shoreline. In locations where competition for space to keep docks afloat is a problem during low lake levels neighbors are encouraged to seek amicable solutions.

Excavation, digging, leveling or changing the contour to access the lakebed without a permit is prohibited. Permanent placement of a hoist to enable dock movement is prohibited. Access to the dock during periods of low lake levels may generally be gained through some temporary wooden means.

15.6 Facilities For The Disabled

The Corps has developed a number of handicap facilities for lake access in public recreation areas that are in compliance with the Americans with Disabilities Act (ADA). Adjacent landowners and permittees are encouraged to use these facilities when the need for disability access arises. If direct access to the dock is required from the adjoining property for a

disabled resident, authorization for specialized facilities can be considered. Each case will be reviewed based upon its own merits. To qualify one must provide a doctor's letter that describes the disability. The letter must provide sufficient detail concerning the disability and the type of access medically necessary for continued use of the facilities. Benches, handrails or use of a motorized cart or similar vehicle may be authorized. Authorization will be granted for the minimum improvements necessary to provide safe access. Temporary solutions will be considered for temporary disabilities. In any case the person requiring the access must reside full time in the home of the permittee. At renewal of the permit this need must be reestablished with a subsequent doctor's letter. Because of the temporary nature of these permits, hardened surfaces such as gravel, asphalt or concrete may not be authorized due to negative environmental impacts and the high cost of removal. Site conditions may limit the Corps' ability to accommodate every applicant.

15.7 Grandfathered Facilities

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 as long as they are maintained in a usable and safe condition, not occasion a threat to life or property, and the permittee is in substantial compliance with the existing permit conditions. If the permitted facilities do not meet these requirements they must be removed and cannot be replaced.

15.8 Land-Use Practices

It is the policy of the Mobile District to authorize certain private uses of public lands when these uses or acts are compatible with the provisions of public law and regulation. Permits may be obtained to control erosion, plant native species, reduce or eliminate noxious plants, aid in fire prevention, and remove hazardous trees.

15.8.1 Erosion Control

Erosion control methods such as planting of native vegetation or placing water breaks along footpaths to reduce rainwater runoff velocity may be authorized. Permits for shoreline protection (rip-rap) as addressed by Section 10 of the River and Harbors Act, Section 404 of the Clean Water Act, and authorized by a Specified Acts Permits are also available at the Operations Manager's Office. See section 14.3.

Point-source sedimentation violations that directly impact Lake Lanier may be reported to the local government with jurisdiction, the Georgia Environmental Protections Division, or the Operations Manager's office. The Operations Manager's authority is limited; therefore, local review would only determine the extent of damage and initiate contact with the appropriate enforcement element.

15.8.2 Land Formations

Land formations may not be modified without a permit.

15.8.3 Exotic Species

Exotic species of vegetation not native to the area are not authorized and must be removed. Flower and vegetable gardens are not authorized. Native vegetative species may be planted in a random or natural fashion and must be authorized by a Specified Acts Permit.

15.8.4 Chemical Agents

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.

15.8.5 Fires

Burning on the shoreline is no longer authorized on Corps managed lands regardless of the lake level. County burn permits do not authorize burning on Corps managed properties. Adjacent landowners may remove forest litter away from their residences not exceeding six feet in locations where residential structures were built close to the government property line.

15.8.6 Mowing or Bushhogging

Mowing and general lawn care of public land is not permitted. Presently, there are areas on public land where the adjacent landowner has maintained grassy areas in a lawn-like condition. These open areas generally evolved from agricultural practices that removed tree cover prior to land acquisition by the Government or from tree loss due to fires, diseases or other causes since impoundment of the lake. Adjacent landowners may continue maintaining these existing grassy areas provided a Shoreline Use Permit/License has been issued to authorize the activity. Because grass does not provide a diverse high quality vegetative buffer, it is project policy to restore grassed mowing areas to a more natural state when not maintained. When permitted 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, aesthetics and wildlife habitat. Adjacent landowners have the greatest impact and opportunity to protect or restore the lakes vegetative buffer.

Authorized footpaths six (6) feet wide may also be maintained by mowing and limited underbrushing. Site plans delineating the limits of cleared areas, underbrushing, or plantings from the approved plant list in Exhibit 8 will be developed on-site by the applicant and a Corps ranger.

15.8.7 Hazardous Trees

Hazardous trees that endanger life or property may be cut/dropped and/or removed from public land. Specified Act Permits must be issued before any actions are taken or the applicant advised in writing the reasons for denial. If the Corps is requested to fell hazardous trees, any subsequent cleanup or removal of the tree may be authorized by permit to the adjacent landowner making the request.

15.8.8 Pest Control

Measures requested by adjacent landowners to manage pests such as forest insects, pets or stray animals, rodents and other health related nuisances will be coordinated between the Corps and local government agencies. Naturally occurring wildlife species are not considered to be pests.

15.8.9 Set-Back Zoning

Set-Back building codes are absolutely necessary to prevent building errors or boundary discrepancy from becoming major encroachment problems. Local governments are strongly encouraged to pursue set-back zoning on the Corps boundary line. Such a policy will greatly reduce conflict between the general public, the Corps, and the neighboring landowners, as well as reduce the taxpayer's share of costs necessary to protect public lands around Lake Lanier. It is recommended that a 10-foot setback be established and enforced. Setbacks are needed so that construction of home sites will not require storage of excavated material, fill, construction materials or equipment on public lands.

15.8.10 Licensed Roads

Private roads established under prior policy were authorized for shoreline access only and were not intended to be used for vehicle or vessel storage. These roads now have a Grandfathered status. No new roads will be authorized for private use.

15.8.11 Violation of Permit Conditions/Unauthorized Use

Violations of permit conditions or unauthorized uses of public property will result in corrective or enforcement actions against the permittee. These actions may include administrative penalties such as site restoration and/or restitution to the government. Additional penalties include the issuance of a citation under the CFR Title 36. In consideration of the issuance of this permit, the permittee must be in compliance with Title 36, Part 327 (including but not limited to Sections 14, 15, 20, and 30) and must remain in compliance with those sections. Any incidents of noncompliance with those sections or the remaining conditions will result in revocation or non-renewal of the permit, or the addition of other special conditions. Non-renewal or revocation will require removal of the permitted facilities.

All Shoreline Use Permits are issued and enforced in accordance with the provisions of Title 36, Chapter III, Part 327, CFR. Noncompliance with any of the terms and conditions, general or special, may result in the issuance of a Violation Notice requiring the payment of a fine or appearance before the U.S. Magistrate, termination of the Permit, and/or restitution. Severe cases of destruction of public land may also result in a moratorium being placed on the affected area of public land, preventing the issuance of any new Permit for a minimum period of 5 years.

By 30 days written notice, mailed to the permittee by certified letter, the District Commander may revoke the permit whenever the public interest necessitates such revocation or when the permittee fails to comply with any permit condition or term. The revocation notice shall specify the reasons for such action. If the permittee requests a hearing in writing to the District Commander through the Operations Manager within the 30 day period, the District Commander shall grant such hearing at the earliest opportunity. In no event shall the hearing date be more than 60 days from the date of the hearing request. Following the hearing, a written decision will be rendered and a copy mailed to the permittee by certified letter. Notwithstanding the condition cited above, if in the opinion of the District Commander, emergency circumstances dictate otherwise, the District Commander may summarily revoke the permit.

The most common activities addressed as unauthorized use include the conversion of public land to private use such as with vegetable and flower gardens, clearing of trees, underbrushing without a permit, construction of roadways, and abandonment or disposal of personal property. Due to the lack of setback policies construction of houses, sundecks, porches, swimming pools or outbuildings are often partially on public property as well as related debris, earthen fill, septic tanks and drain fields. Once a permit violation or unauthorized use is corrected the violator may be eligible to reapply for a Shoreline Use Permit/License subject to current regulations.

Violations of authorizations (including regional or nationwide permits) or permits under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act are subject to statutory remedies. These remedies include injunctive relief (e.g., restoration), civil penalties and in appropriate cases, criminal penalties.

15.8.12 Silt Removal

Silt Removal may be authorized in accordance with CFR Title 33 and 36. Silt removal cannot be authorized to excavate original soils and rock. Only alluvial soil (sedimentation) may be removed. Permits to remove silt will not authorize the altering of the original contour, drainage pattern, or wetlands, nor removal of one (1) foot or less of silt deposit. Silt removal will not be authorized if access to the shoreline is not available without destruction of the sites. Silt removal authorizations must comply with the Nationwide permit program addressed in Sections 14.3 and 14.4. A silt removal plan will be required from the permittee and must include a cross-section with dimensions illustrating current and final slope as well as quantity of silt and depths after work is complete. The plan must describe the method in which excavated material is to be removed and the location where the silt will be relocated. Excavation may not occur below free flowing stream levels. Final grade must allow for free or continuous drainage to the main channel and newly created slopes will not exceed 2:1.

Silt removal may be required when degradation of project lands and water occurs. Restoration will not be required if the effort to restore would produce or create worse conditions.

16. Boundary Control

The project was initially surveyed with monuments placed during the middle 1960's and early 1970's. Lake Lanier has approximately 760 miles of boundary line encompassing its 56,782 acres of project land and water. The most recent routine boundary survey was conducted from 1983 to 1996 and resulted in one half of the project western boundary line being resurveyed.

Although some sections of the boundary line follow a specific contour or elevation, most of the government boundary consists of straight lines between points. These points are represented on the ground by either angle iron or monuments. Often a private survey was accepted as being representative of the government's line if the private survey was recorded in the courthouse prior to the government survey in the mid-1960's. Many of these private surveys contained errors and tracts subdivided based on these surveys resulted in lots that in some instances encroached on public property.

As part of the continuing effort to maintain the boundary line, witness trees are painted and boundary line monuments were further identified with high visibility Carsonite post. Witness tree markings do not represent the exact boundary line, but simply mean that the government's boundary line is nearby. It is important to note that project staff are not surveying the boundary line, but rather reidentifying it to facilitate boundary line inspection. A private survey is recommended prior to any construction adjacent to public lands. The Corps of Engineers does not assume the responsibility of identifying private property boundary lines. Information related to the government's boundary can be obtained at the Operations Manager's office or on the world wide web at <http://gis.sam.usace.army.mil/>. For further information related to the government's boundary refer to Exhibit 6.

17. Encroachment Resolution

Items placed on public lands longer than 24 hours or repeatedly placed on public lands that are not authorized by a permit are considered encroachments. Such items are subject to removal at the owner's expense. If impounded and unclaimed, these items will ultimately be disposed of. Encroachments are classified as either minor or major, and may be treated as a permit violation under section 15.8.11. Minor encroachments are generally portable personal items. The Corps generally prefers to return or require the return of minor encroachments to private property. Major encroachments generally involve structures or facilities.

On December 11, 2000, Congress passed the Water Resources Development Act (WRDA) of 2000, Public Law 106-541. Included within the provisions of this act, is Section 516, entitled "Lake Sidney Lanier Home Preservation." This Act directs how certain existing major encroachments at Lake Lanier are to be resolved. The Act pertains to those encroachments on fee or easement properties that were constructed before January 1, 2000. This Act allows eligible homeowners to keep structures for human habitation and the attached improvements such as decks, patios and house steps. Items not eligible include gazebos, walkways to the

lake, and other items not attached to the eligible structure. Otherwise, eligible homeowners who fail to meet the requirements of this program will have their encroachments removed in accordance with SAM SOP 1130-1-1.

18. Flowage or Flood Easements

The United States (Corps of Engineers) owns most of the lands surrounding Lake Lanier in fee title. During the construction of Buford Dam and Lake Lanier a maximum flood elevation of 1085 mean sea level was established. In some areas where the flood elevation occurred on private property, a 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 or perpetually flood private property. This restricts the private owner from constructing habitable structures and prohibits alteration of the existing contour. In areas where no fee or easement interests were acquired and private property is perpetually covered by water, the Corps maintains Regulatory jurisdiction as waters of the United States. Certain private uses of easement property may be authorized by the Operations Manager. Locations of easements can be identified at the Operations Manager's office. All purchased easements have been recorded.

The Corps of Engineers has also acquired the right to occasionally flood private property down-stream of Buford Dam. These rights were acquired to contain high flows that force water upstream into tributaries. There is no regional flood contour established, rather each easement tract has a calculated high water elevation unique to its location.

Consent to an easement can be obtained to authorize non-habitable structures below 1085 MSL. Items commonly permitted under the Lake Lanier SMP can be authorized at the local level. The Consent to Easement allows for items that do not violate the easement restrictions detailed in the recorded deed, with the exception of perpetual flowage easement tracts purchased in the Richland Creek watershed, located in Segment W. These easements, in Segment W, are located downstream of the emergency spillway which allows for an uncontrolled release of floodwaters from Lake Lanier during extremely high lake levels (above 1085 MSL).

19. Buffer Zones

Vegetative buffers serve many important functions in protecting water resources. By stabilizing the stream banks and shorelines with native vegetation, erosion and sedimentation rates will be reduced. Increased sediment loads are associated with the physical destruction of habitat such as the smothering of bottom communities and spawning beds.

Vegetative buffers protect the water quality by reducing sediment, nutrient, and contaminant loading from activities occurring in the surrounding watershed. Overland water flow approaching surface water bodies from the surrounding watershed is intercepted and filtered by vegetative buffers before it enters the water body. Pollutant and sediment transported may be partially removed as a result of a combination of processes including reduction in flow pattern and transport capacity, settling and deposition of particulates, and eventually nutrient uptake by plants. In addition, the vegetation provides stream bank/shoreline stabilization to

the water body. The roots of vegetation anchor shoreline sediments and protect the shoreline from the erosive forces of water movement.

Lake Lanier serves as the water source for metro Atlanta and the surrounding counties as well as those areas along the Chattahoochee River down stream. Recognizing this purpose and the regional impacts, it is imperative that measures be taken to preserve the lakes water quality. It is now required that “limited development” areas serve as vegetated buffers with minimum disturbance to allow for safe access. Exceptions to this policy would include those areas authorized for underbrushing, mowing and intensive public use areas such as parks and lease areas. This policy is consistent with state requirements and the preferred alternative within the Environmental Impact Statement. See Section 20 Forest Management for guidance on underbrushing permits.

20. Forest Management

Lake Lanier's forested lands are managed to achieve multiple use benefits. Guidance for forest management is contained in Public Law 86-717 which established that project lands be developed and maintained to assure that forest resources are managed for multiple use yield in a manner that will not impair the productivity of the land to provide for future generations. Forest products are not the primary focus of management goals at Lake Lanier. Equally important within the context of multiple-use are esthetics, wildlife benefits, air and water quality, soil erosion, as well as the quality of outdoor recreation experiences.

In LDAs the forest and vegetative management objectives at Lake Sidney Lanier are to sustain a healthy, vigorously growing, uneven-aged, esthetically pleasing forest capable of supporting recreational use. **In LDAs minor vegetation modification can be authorized by permit to allow the planting of native vegetation as well as the limited removal of understory vegetation. Only selected understory species with a diameter of two inches (2”) or less and pruning of tree limbs not to exceed head height will be permitted. In no case will this authorization exceed a 10-foot corridor on both sides of the existing pathway. To obtain a permit individuals must meet on site with their area ranger to develop a plan to accompany their request. This plan will insure that adequate native overstory vegetation will be maintained for forest regeneration. Authorization will be granted in conjunction with a Shoreline Use Permit/License for a period not to exceed five years.** Violations can result in the revocation of the permit in its entirety.

Adequate native understory vegetation must be maintained for forest regeneration. The cutting of dead or diseased trees, which pose a threat to persons or property, can be authorized. Clearing to obtain scenic vistas or to establish lawns is not permitted. Removal of forest humus or mulch is prohibited since it results in sheet erosion, root damage, and soil compaction. Areas presently modified and permitted to provide vistas or lawns will be authorized for continued maintenance in accordance with Section 15.8.6. Similar areas that are not authorized must be revegetated by the permittee under permit guidelines or allowed to regenerate naturally.

The “Protected” forest management objective is to sustain a fully stocked stand of native trees. Management practices will include those necessary to provide protection from fire, insects, disease and other threats, to allow for appropriate harvest of trees, and to regenerate forest stands.

“Public Recreation” forest management objectives are to maintain a healthy, vigorously growing forest capable of supporting pressure from recreational use. The preferred density for stands in these areas should provide a 60/40 relationship between shade and sun and can be achieved with a basal area of 60 square feet per acre. In public recreation areas that are currently undeveloped the objective is to carry a healthy vegetative cover capable of supporting future development and high-density recreational use. Implementation of forest and vegetative management objectives is accomplished utilizing a variety of methods including selective thinning to reduce basal area and increase stand vigor, regeneration to establish cover on open areas and to replace mature stands.

21. Wildlife Management

Successful wildlife management at Lake Lanier can best be achieved by integrating wildlife programs with effective forest management practices. The goal of wildlife management is aimed at developing, improving, and maintaining native vegetative communities that will serve diverse wildlife. This objective was established since different wildlife associate with different plant types. Fulfillment of this goal will provide better opportunities to observe wildlife and to engage in other non-consumptive uses such as photography and nature study.

Due to extensive development adjacent to public land and Lanier's heavy visitation, hunting has been generally limited to waterfowl only. On the northern reaches of the Chattahoochee River within the property leased by the GADNR and Don Carter State Park hunting may be permitted. For more information contact the Wildlife Resources Division of the GADNR. Consequently, management emphasis has been devoted to the promotion of non-game wildlife, although game species and waterfowl derive considerable benefits. In conjunction with a non-game management emphasis, the Operations Manager is mandated to enhance and promote endangered and threatened wildlife species and their habitat wherever they exist on the project.

Since the wildlife program strives to promote a diverse wildlife community, the Corps often manipulates habitats. Active management includes providing habitat components such as nesting structures or food plots. Since "Limited Development" areas tend to receive stress from human activity, the Corps encourages and authorizes planting native vegetation by interested parties. Such request must be accompanied by a written proposal that details native species selection and placement. Snag or dead trees that do not endanger life or property are purposely left to benefit both birds and mammals.

Wildlife population management is the responsibility of the GADNR. The Corps cooperates to support State efforts by providing hunting opportunities, habitat for game species and assisting with the control of pest species.

22. Fisheries Management

The GADNR coordinates management activities with GADNR in order to maintain acceptable fish and wildlife populations. Corps rangers often assist with fish kill investigation, habitat enhancement, and occasionally field monitoring of fish populations. The Corps' primary goal in fisheries management is to maintain acceptable habitat capable of supporting a diverse sport fishery on a sustained yield basis and to enhance fishing opportunities. These goals are accomplished by GADNR sampling and stocking, a cooperative effort between GADNR and the Corps to create fish attractors and provide public access through multiple launch ramps, bank fishing piers, and recreational areas.

Habitat enhancement is accomplished by conducting various practices such as water level management for stabilizing spawning habitat. Because the lake is sensitive to many outside influences, other activities must be monitored for adverse impacts, such as nearby construction activities. Maintenance of productive fisheries habitat is achieved in part by maintaining an active water quality program. Corps personnel cooperate with the Georgia Environmental Protection Division to resolve water quality problems. Corps personnel also cooperate with county health departments to correct septic tank pollution and with state and county engineering departments to resolve soil erosion problems.

Working under specific management directives, Corps personnel continually work with lake users to minimize infringement to fish spawning habitat and water quality. Visitors should refrain from clearing non-hazardous shoreline stumps or trees that have fallen onto the lakebed. Permits can be obtained to install fish attractors at or below elevation 1050 MSL.

Special Consideration Programs:

Special consideration programs include endangered species management, non-native plant management such as kudzu control, fire management, erosion control, and water quality.

23. Water Quality

Water quality management at Lanier is a complex and challenging task due largely to the extensive and varied human activity both in and around the lake. The broad goal of this management responsibility is to preserve and enhance water quality adequate for safe and healthy public use as well as conservation of wildlife, fish and other beneficial aquatic life. To achieve this goal the Corps of Engineers strives to maintain compliance with federal and state water quality laws and standards as they relate to specific Corps operations. Protection of project waters is promoted by the following Corps involvements: limited Corps enforcement of project water pollution regulations as shown on Exhibit 11, periodic water assessment, implementation of solid waste abatement programs for the general shoreline, and promotion of environmental awareness. Additionally, the Corps of Engineers actively seeks and maintains cooperative relations with other water quality management agencies.

Jurisdiction and enforcement of water quality is encumbered by multiple government agencies having different and overlapping regulatory responsibilities. The Corps is mandated by federal law to protect the lake resource for safe and healthful public use. Corps personnel are authorized to enforce provisions of CFR, Title 36, part 327, which prohibits the discharge

of pollutants in or onto project property. As situations dictate project staff conduct preliminary investigations of non-CFR violations on or near the project and forward their findings to agencies with appropriate jurisdiction for continued investigation and proper enforcement.

The State of Georgia and its Political subdivisions have principal authority and responsibility to enforce Georgia laws on the Lake Lanier project. The State has its own water quality control law, which establishes enforcement authority by the Georgia Environmental Protection Division (EPD). EPD is also authorized by the U.S. Environmental Protection Agency (EPA) to implement and enforce Section 2 of the Federal Clean Water Act within the State of Georgia. A major component of this federal law involves the NPDES. This is a program that requires a permit for any discharge of a pollutant into waters of the United States. A common example of a permitted discharge includes treated wastewater from a municipal sewage treatment facility. The Corps refers cases of unpermitted discharges to EPD, which has responsibility for the NPDES program and associated enforcement action.

To complement EPD's management of surface discharges, a separate permit program is administered to accommodate on-site, sub-surface disposal of wastewater. This program is administered by environmental health offices of local county health departments that issue permits for septic tank installation and underground discharge of wastewater or sewage, such as that from private residences.

Another authority is established for federal regulation of sanitation devices on vessels known as marine sanitation devices (MSD). The U.S. Coast Guard has authority under CFR Title 33 to control discharge of sewage from vessels by specifying and enforcing design, installation, and operation of MSD. However, federal regulation of this aspect of water quality control currently preempts state regulation of MSDs with the exception of MSDs on houseboats.

To promote a healthier environment Corps regulations prohibit the discharge of sewage, garbage, and other pollutants into lake waters or onto public lands. Sewage from vessels will be removed at marine pump-out stations located at are located at Bald Ridge, Lan-Mar, Gainesville, Sunrise Marina, Aqualand, Starboard, and Holiday Marinas.

Water pollution may be derived from and categorized into two broad sources - point and non-point. Point sources are best described as pollution originating from an identifiable source such as an effluent line. Non-point sources are not readily identifiable and are derived over a broad area. Examples of non-point source pollution include pesticide run-off and soil erosion from a stream watershed. Dependant on the circumstance, some types of pollution may occur in either category. Thus the classification of pollution sources is a relative determination, but this description has some significance as far as applicable regulations and enforcement.

Since point sources are easier to identify than non-point sources they are generally easier to control. Septic tanks occasionally degrade the lake's water quality by being located too close to the flood plain and/or not functioning correctly. Consequently, the Corps has broadened its policy toward septic tank systems. The policy states that septic tanks and drain fields will not be permitted on public property regardless of their age, if located below elevation 1085 MSL. All septic systems that are currently located on public land below elevation 1085 MSL must be removed. Systems located on public property above elevation 1085 MSL may remain, but require inspection and certification that the system is functioning properly. County Health Department officials can provide this certification upon request. The existing systems will be

identified during renewal and change of ownership inspections. Once major repair is required the system must be closed and rebuilt on private property. These measures will reduce infiltration of septic tank contents into lake water during periods of higher lake levels. Consistent with the Corps policy change, health officials surrounding Lanier have previously implemented a requirement prohibiting new septic systems below contour 1085 MSL regardless of property ownership. To enlighten the public on how they can help protect the lake's water quality, the Corps is taking a more active role in environmental awareness programs. Interpretive programs that address water quality will be presented to public groups. New Shoreline Use Permit/Licenses are required to meet on-site with Corps staff to discuss proposed facilities, water quality and other environmental concerns. Where water quality is degraded due to erosion, permits may be issued to allow residents to plant native vegetation.

Cleaning vessels and docks with soaps and solvents at the shoreline pollutes the lake. This activity and use of insecticides, herbicides, pre-emergent and fertilizers are prohibited on public land and water. Application of the above chemicals and construction on adjacent private property has strong potential to disperse pollutants into the lake. Instances of sedimentation and chemical pollution will be investigated and reported to the appropriate agency for their action. Shoreline Use Permit/Licenses can be revoked in whole or in part for violations of this restriction.

Non-point source pollution is difficult to control. Chemical applications over large areas ultimately degrade the lake's water quality. Indiscriminate use of fertilizer contributes to nutrient loading, thus accelerating the natural aging of the lake. Phosphorus from fertilizers and other sources control the lake's productivity. Cases of excess phosphorous generate unwanted high levels of algae that can reduce oxygen levels and kill fish. To relieve some of these problems, the Corps strives to educate the public about the values of good water quality practices. Additionally, the Corps conducts an annual solid waste removal program along the general shoreline. This removal eliminates a substantial amount of debris that in itself is a form of water pollution or has potential to become soluble in lake water.

To maintain a comprehensive effort toward controlling pollution the Corps and EPD are involved in monitoring water quality on Lake Lanier. The Corps collects water samples at swim beaches throughout the recreation season. These samples are laboratory tested to determine the level of fecal coliform bacteria. EPD samples the lake's water quality on a regular basis and when conditions exist that are suspected to threaten public health, EPD may issue orders restricting the use of project waters. If lake waters are found to be a health hazard, the Corps will comply with requests by either EPD or the Division of Public Health, Dept. of Human Resources by posting warnings and/or -restricting access to any portion of the lake body.

To meet its own directives the Corps conducts limited water quality monitoring. The Corps has measured several water quality factors at the dam for many years. However, to establish a broad baseline of the lake's condition, the Corps will sponsor a major water quality study at least once every ten years. This study typically evaluates selected chemical, physical and biological conditions of the lake, its tributaries, and the river below the dam.

24. Wetlands

The term "wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands in, on or around Lake Lanier provide significant natural biological functions including food chain production, general habitat for aquatic and land species such as nesting, spawning, rearing and resting sites, and serve to purify water. Maintenance of wetland areas is important due to their scarcity in North Georgia. All wetland habitats should be preserved to promote the region's ecological integrity. The Corps of Engineers, along with the Environmental Protection Agency, has jurisdiction over wetlands that are part of the waters of the United States. Section 404 of the Clean Water Act establishes, among other things, a permitting program for discharges of dredged or fill material into wetlands. To maintain wetlands, no 404 or shoreline use permit will be issued that involves general or specific use or alteration of wetlands unless concurrence is gained from the Corps of Engineers, the U.S. Fish and Wildlife Service (USFWS), and the GADNR. Determinations of jurisdictional wetlands may be obtained through procedures established by the Corps of Engineers.

25. Aquatic Plants

Due to lake fluctuations, depth, and the lakes northern Georgia location, nuisance aquatic weeds have not thus far been identified on the project. However, the transport of such weeds is possible and low areas may eventually have seasonal problems unless the general public inspects and cleans their boats and trailers after visiting other waterways known to have aquatic weed problems. Of most concern are hydrilla and Eurasian watermilfoil.

26. Endangered Species

The ESA of 1973 declares the intention of the Congress to conserve threatened and endangered species and the ecosystems on which those species depend. The Endangered Species Act requires that federal agencies use their authorities in furtherance of its purposes by carrying out programs for the conservation of endangered or threatened species, and by taking such action necessary to insure that any activity authorized, funded or carried out is not likely to jeopardize the continued existence or result in the destruction or adverse modification of habitat of such species. Permits will not be issued that conflict with the preservation of endangered species. Any permit issued in violation of the Endangered Species Act either past or present will be rescinded.

The USFWS identified federally listed endangered or threatened species that exist or might occur on project property. The GADNR also identifies State protected species that are endangered, threatened or a species of concern in Georgia. The ESA requires protection of federally listed species and their habitat. Likewise, the protection of Georgia's protected species is required under State law and is applicable to project natural resource activities.

27. Cultural and Historic Resources

The National Historic Preservation Act, Archeological Resources Protection Act and other historic and cultural resource protection laws were provided by Congress to protect historic and cultural sites and recover data. If it is determined that a previously issued permit infringes upon or impacts a historic or cultural site, the permit will be rescinded or modified. Permits will not be issued that involve general or specific use or alteration of historic sites unless culturally cleared by appropriate agencies. The use of metal detectors or other land-based electronic or nonelectronic detection devices are prohibited except by written permission from the project's Operations Manager.

Lake Lanier has an approved Historic Properties Management Plan (HPMP), dated April 1997, detailing the characteristics of each significant Historic Resource Site. The plan was prepared under provisions of ER 1130-2-438 and a number of Acts, Executive Orders, CFR's, ER's and Guidance Letters. Previous historic resources investigations occurred in the late 1930's, 1950-01, 1978, and 1987.

As a result of ongoing consultation with the Georgia State Historic Preservation Officer (SHPO), it was determined that most project lands with a high potential for historic properties have been surveyed. Historic resource surveys of Lake Lanier have identified over 600 historic sites on Government property. Data recovery was conducted at several prehistoric archeological sites prior to impoundment. Since passage of the National Historic Preservation Act in 1966, data recovery has been conducted at two prehistoric sites that were determined eligible for the National Register of Historic Places. The National Register eligibility of five (5) historic properties remains to be determined.

28. Island Management

Lake Lanier has more than 100 islands that provide scenic value, provide wildlife habitat, serve as buffers between development, and afford numerous day-use recreational activities. Day-use activities consist of fishing, sunbathing, hiking, swimming, bird watching, wading, picnicking, etc. All fires and camping, including the placement of any type tent, are not permitted on islands.

The practice of island camping has been prohibited due to resulting site degradation; lack of sanitation facilities and potable water; and the lack of adequate patrol and law enforcement. Unrestricted use has led to unauthorized construction, rowdiness, the loss of vegetation and wildlife food sources, and has encouraged erosion. Public use is also credited with starting fires that have completely burned several islands.

Except for holiday weekends most campers can be accommodated in Corps and other public and private campgrounds. Development of the islands is not considered a feasible solution. In an informal survey of campers who frequent the islands it was learned that if facilities were developed on the islands those visitors who prefer a rustic or primitive type camp setting would no longer frequent the area.

Boaters wishing to anchor off an island to spend the night on their vessel may do so. However, fires are prohibited on islands. Visitors wishing to tent camp will be directed to the nearest available campground.

Other natural resource concerns on islands that must be addressed by Management action include kudzu control or eradication, if possible, timber stand improvement, erosion control, and wildlife management.

29. Leases

With the exception of possibly establishing marina services in the upper Chestatee River, and the leasing of existing recreation areas to local or state governments, no new areas are currently available for leasing. The proposed marina will have to conform to the estimated 9000 acres of surface water above the highway 53 bridge and the limited clearing the bridge provides. It is visualized that 500 dry slips and 250 wet slips may be authorized. Presently 34 areas are leased to other federal, state and local governments and quasi-public organizations for either public recreation or commercial purposes. Leased areas are generally granted use to a specific contour or elevation. Marinas are often allowed to provide for safety and security by prohibiting non-patronage related activities or boating within 100 feet of their fixed or floating facilities.

30. Commercial Activity

Commercial activity is prohibited without a lease. Presently ten (10) marinas plus the Lake Lanier Islands complex are outgranted for commercial purposes. All commercial activities must be conducted at one of these locations. Parties interested in providing some business service for Lanier visitors must first seek a subconcessionaire's agreement with one of the above eleven (11) lease-holders. If this agreement is reached the lessee will then approach the Corps for concurrence and amendment of the lessee's contract with the Corps. The Corps retains the final approval and does not automatically concur with subconcession agreements. The Corps of Engineers will provide commercial activity information to the general public, but the agency does not contract with third party members.

31. Regulatory Buoys

The placement of regulatory buoys such as "no wake" is accomplished by the Corps with the GADNR, Game and Fish Division, concurrence. It is the intent of this program to promote public boating safety. Areas are regulated to the minimum required to provide safe boat operation yet meet each agency's enforcement ability. Regulatory zoning to suit private needs would over-regulate the project to such a degree that boaters would be prone to ignore regulatory buoys and therefore, such zoning is not authorized. Information concerning regulatory buoys can be found on the projects web site at http://lanier.sam.usace.army.mil/Lanier_Nav_Maps/Pages/Index.htm.

32. Administrative Review

Recommendations made by Corps field personnel relative to the issuance of Shoreline Use Permit/Licenses are subject to review by supervisory and managerial personnel. Permit authorizations are made by the Operations Manager or his designee only. Review of permit

denials may be requested. If reviews made by supervisory then managerial personnel are not deemed adequate, then a complaint may be forwarded through the field office to the Mobile District office for further review and response. The administrative review process is considered exhausted at the District Commanders level. Administrative review beyond the District level will be based on the District Commanders recommendation.

33. Lake Lanier Focus Group

There is a continuing need for coordination and exchange of information between Lake Lanier users and the Corps of Engineers concerning shoreline management. Lake Lanier SMP Updates will be facilitated by the Operations Manager and a focus group who's members will include a variety of backgrounds and interests including area residents, water quality experts, land developers, lake related commercial interests, State fisheries and law enforcement, and environmental interest groups. The specific organizations represented will include GA DNR, GA EPD, County Parks and Leisure, North Georgia College, Gainesville College, Lake Lanier Association, U.S. Coast Guard Aux, Georgia Mountain Regional Development Center, University of Georgia, Chattahoochee River Keeper, Marine Trade Assoc., Lanier Sailing Club, and a bass fishing tournament director.

34. Summary

The Corps is charged with protecting and managing Lake Lanier within its scope of authority while serving the needs of the general public. It is the intent of this plan to provide the most benefit to the public and to balance needs against the physical limitations and natural qualities of the project. In formulating the plan present and future needs were considered. The Operations Manager will continually monitor the needs of lake users and recommend revisions that will minimize conflicts between various interests. Minor changes in shoreline allocations will continue to be approved by the District Commander and reported to the Division Commander on an annual basis. In advance of recommending a major revision to this plan the public process will be repeated, changes will be publicly announced for review and comment prior to implementation. To reduce the amount of time to recommend, review, evaluate, and update minor portions of the plan, individual segments may be evaluated rather than the entire document.

35. Exhibits

Exhibit 1	Shoreline Allocation Map
Exhibit 2	Project Statistics
Exhibit 3	Facility Inspection Forms
Exhibit 4	Pathway/Steps Standard
Exhibit 5	Shoreline Allocation Signage
Exhibit 6	Boundary Line Marking Standard
Exhibit 7	Shoreline Protection

Exhibit 8	Native Trees and Shrubs of Lake Lanier
Exhibit 9	Brochure "How to Apply for a Permit"
Exhibit 10	Applications
Exhibit 11	CFR, Title 36, Part 327, Parks, Forests, and Public Property