



**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT
109 SAINT JOSEPH STREET
MOBILE, ALABAMA 36602-3630**

CESAM-PD-EI

**U.S. ARMY CORPS OF ENGINEERS,
MOBILE DISTRICT**

NOTICE OF AVAILABILITY FOR THE

**PROPOSED MASTER PLAN PORT ROYALE MARINA
LAKE SIDNEY LANIER**

GAINESVILLE, FORSYTH COUNTY, GEORGIA

TO ALL INTERESTED PARTIES:

The U.S. Army Corps of Engineers (USACE), Mobile District requests your review and comment on the proposed Master Plan Port Royale Marina, Lake Sidney Lanier, Gainesville, Forsyth County, Georgia. A copy of the draft environmental assessment is located on the following website: <https://www.sam.usace.army.mil/Missions/Planning-Environmental/Environmental-Assessments/>. The document is being circulated to resource agencies and interested members of the public for a 30-day comment period.

The proposed Master Plan includes the addition of paved parking and an associated access road, bath houses, and cart corrals by docks, relocation of an existing wave break, paving an existing gravel truck and trailer parking area (Parking Lot T), removal, modification, and/or addition of dry stack storage, wet slips, and docks, including the addition of a new pump out and fuel dock and new courtesy slips and a drive-in boat wash. Coordination with the U.S. Fish and Wildlife Service, Georgia Department of Natural Resources and the Georgia State Historic Preservation Officer is complete.

Correspondence concerning this draft Environmental Assessment should be directed via email to Ms. Velma Diaz at velma.f.diaz@usace.army.mil or via mail to U.S. Army Corps of Engineers, Mobile District, CESAM-PD-EI, Attention: Ms. Velma Diaz, Post Office Box 2288, Mobile, Alabama 36628. Comments must be received within 30 days of date of this notice.

Jeremy M. LaDart
Chief, Planning and Environmental
Division

Draft

Environmental Assessment

for

**Port Royale Marina
Lake Sidney Lanier
Gainesville, Forsyth County, Georgia**



**US Army Corps
of Engineers**
Mobile District

Prepared by:



UNITED CONSULTING

December 2021

DRAFT ENVIRONMENTAL ASSESSMENT PROPOSED MASTER PLAN

PORT ROYALE MARINA, LAKE SIDNEY LANIER GAINESVILLE, FORSYTH COUNTY, GEORGIA

1. INTRODUCTION:

This environmental assessment (EA) was prepared utilizing a systematic, interdisciplinary approach integrating the natural and social sciences and the design arts with planning and decision-making. The proposed action and its alternatives are evaluated in multiple contexts for short-term and long-term effects and for adverse and beneficial effects. This assessment indicates the effects on the human environment are well known and do not involve unique or unknown risks. It is not anticipated that this is a precedent-setting action, nor does it represent a decision in principle about any future consideration.

This EA was conducted in accordance with the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations implementing NEPA [40 Code of Federal Regulations (CFR) 1500-1508], and Engineer Regulation 200-2-2. The CEQ published its Final Rule: Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) in the Federal Register July 16, 2020. The new CEQ NEPA Regulations went into effect September 14, 2020. Preparation of this Proposed Master Plan Port Royale Marina EA, Lake Sidney Lanier, Gainesville, Forsyth County, Georgia commenced prior to enactment of the new NEPA regulations. USACE may only apply the prior CEQ NEPA regulations from 1978, as well as relevant Corps regulations and guidance, to such pending reviews. As such, this EA has been prepared in accordance with the NEPA and the CEQ 1978 regulations.

This EA and associated proposed Master Plan have been prepared in accordance with SAMDR 1110-1-3 and other applicable rules. This EA is intended to address the proposed Master Plan that has been prepared to meet the future growth needs of the Port Royale Marina. Maps and figures showing the location of Port Royale Marina are located within **Appendix A**. The proposed Master Plan is located within **Appendix B**. The Master Plan generally proposes the addition of paved parking and an associated access road, bath houses, and cart corrals by docks, relocation of an existing wave break, paving an existing gravel truck and trailer parking area (Parking Lot T), and removal, modification, and/or addition of dry stack storage, wet slips, and docks, including the addition of a new pumpout and fuel dock and new courtesy slips. The intent of this EA is to assess potential environmental impacts from the proposed actions in the lease area as further outlined below.

Port Royale Marina, located on Lake Lanier, is a full-service marina that operates on a year-round basis and provides recreational and leisure activities for members and visitors of Lake Lanier. The marina offers dry-stack boat storage, Lake Lanier's largest marine repair service center, boat rentals, boat sales, a floating gas island and ship store with 18 self-service pumps and 2 full-service pumps, the convenience store Lighthouse at the Port, the restaurant Pelican Pete's Bar and Grill, two private launching ramps, a heated bathhouse, over 500 wet slip rentals of which 75% are covered and all of which contain power and water, wireless Internet on the docks, two

24-hour pump-out stations, mobile pump-outs at wet slips, well-lit parking, accessible walkways, and on-site security with a gate.

A previous EA was developed for Proposed Port Royale Master Plan Modifications in December of 2006. A Finding of No Significant Impact (FONSI) was issued for the previous EA. The 2006 Master Plan showed proposed grounds keeping and storage sheds on both the southern portion of the Project Site and the northern portion of the Project Site. A proposed parking lot C was also shown on the central portion of the Project Site. None of these proposed improvements have been conducted. The 2006 Master Plan also showed the removal, modification, and addition of docks, wet slips, and dry stack spaces, some of which were noted as previously “approved”, to result in a total of 1,625 slips. This included the addition of a rental dock, a sales dock, and a fuel dock. The removal, modification, and/or addition of only some of these docks and slips have occurred as the marina currently contains a total of 1,446 existing slips. The total of 1,625 slips has already been approved by the USACE. The residential Lakeview and Mountainview cottages, marina village lodging/shops, yacht club facility, activities pavilion, lodge/conference/spa with approximately 125 overnight rooms, a new dry stack building, nature trails using pervious materials, and additional paved parking were also shown as previously “approved” on the 2006 Master Plan. As of October 2020, these actions have not been carried out. Some of the other previously approved modifications noted on the 2006 Master Plan have been carried out, including the addition of a boat ramp for the repair shop. Based on review of the 2020 Master Plan, Port Royale Marina has modified and/or is no longer planning to carry out some of these previously “approved” modifications noted in the 2006 Master Plan. Copies of the 2006 Master Plan documents are included in **Appendix B**.

a. Location:

This EA relates to Port Royale Marina, which is an approximate 65-acre marina located on Lake Sidney Lanier. The Port Royale Marina currently leases this area from the U.S. Army Corps of Engineers (USACE), Mobile District. Port Royale Marina is located approximately 0.1 aerial miles southwest of Georgia Highway 369 (Browns Bridge Road) and approximately eight miles southwest from downtown Gainesville, Georgia, approximately an hour northeast of Atlanta. The property is accessible via Port Royale Drive, a paved road that is located on the marina property and connects to Browns Bridge Road. Figure 1, Figure 2, and Figure 3 identify the location of the project and are included in **Appendix A**.

b. Proposed Action:

The proposed Master Plan includes the addition of paved parking and an associated access road, bath houses, and cart corrals by docks, relocation of an existing wave break, paving an existing gravel truck and trailer parking area (Parking Lot T), removal, modification, and/or addition of dry stack storage, wet slips, and docks, including the addition of a new pumpout and fuel dock and new courtesy slips and a drive-in boat wash. The proposed Master Plan shows several other previously “approved” activities; however, as these activities were previously approved, they are not considered as direct impacts for the purpose of this EA. These previously approved actions include the addition of residential Lakeview and Mountainview cottages, a marina village lodging/shops, a yacht club facility, an activities pavilion, a lodge/conference/spa with approximately 125 overnight rooms, nature trails using pervious materials, additional paved parking, and addition of some docks. A copy of the Proposed Master Plan has been included in **Appendix B**.

c. Purpose and Need for the Proposed Action:

The proposed plan has been developed to address the need to update and improve the marina to satisfy marina customers as the recreational use of Lake Lanier increases.

The proposed plan can generally be broken down into five categories of proposed actions:

- (1) Wave break relocation
- (2) Re-arrangement of existing and previously approved boat storage (docks & dry stack) and addition of cart corrals at docks
- (3) Additional automobile parking and roads and re-arrangement of existing and previously approved automobile parking and roads
- (4) Expansion of Gas Island boat parking (courtesy docks, boat rentals) and additional pumpout and fuel dock
- (5) Additional bathroom facilities

The proposed changes to the Master Plan will allow Port Royale Marina to continue to provide comfortable, consistent access to the lake.

The proposed changes to the Master Plan include the relocation of the existing wave break to provide better coverage for the existing and proposed docks and to provide improve access within the docking area.

Boat storage re-arrangement of wet slips/docks and dry stack storage is included in the Proposed Master Plan. The marina has previously been approved to house 1,625 boat storage spaces. The Proposed Master Plan lays out the proposed configuration of these wet slips/docks and dry storage spaces.

The re-arrangement of wet slips and docks is proposed to improve boating access and navigation (including the prevention of collision of boats sticking out of existing slips), to accommodate the growing demand for boat rentals, and to better utilize a proposed road and parking area for the development. Replacement of old docks and/or dock sections of Docks 1, 2, 6, 11, A, and G1 is proposed as these docks are near the end of their service life. The need to replace the docks instead of major rehabilitation is due to the fact that the price to update the docks to modern standards would exceed the cost of a new dock. Replacing the docks has further benefits, including GFCI compliant power systems, galvanized versus painted construction (longer life, no rust), encapsulated floatation, and composite decking (no splinters or rot, less maintenance, and made of a recycled plastic product). As a convenience to visitors, the marina has carts that can be used by visitors to haul items to/from their automobile and their boat. The Proposed Master Plan proposes the addition of cart corrals at each of the docks, which are needed to keep the marina looking clean and free from scattered carts. The cart corrals will invite customers to return their carts and will create a specific area for visitors to find carts that are not in-use.

The marina currently has 466 dry stack boat storage spaces and was previously approved for a total of 537 dry stack spaces. The Proposed Master Plan removes 170 dry stack spaces and adds 29 dry stack spaces for a total of 325 dry stack boat storage spaces. The proposed changes are for logistic reasons. As newer boats are getting larger and taller, the marina must hold fewer boats than before in the same space. It takes less time for a forklift to retrieve and re-stack boats that are not stacked as high as they were in the past (due to the larger size of boats). So, the marina is faster at retrieving boats, uses less labor, less run-time on the equipment, and the faster

retrieving time results in better customer service. Also, by reducing the total number of boats in dry stack storage, the total number of launches and retrievals from dry stack on a given day is less, alleviating the need for a waitlist and decreasing wait time for customers. The decrease in dry stack storage spaces allows the marina to add more wet slips, increasing unimpeded access to Lake Lanier.

With more than 10 years of experience running Port Royale Marina, marina personnel have a much better idea of traffic flow and parking needs than when the previous Master Plan was approved. The Proposed Master Plan includes the proposed addition of paved Parking Lot S (88 spaces) for dry stack customers and an associated paved access road to connect to the parking lot. The addition of 96 paved parking spaces to previously approved Parking Lot M and the addition of 24 paved parking spaces to previously approved Parking Lot L are proposed to address the need for more parking for boat rental customers. The addition of 72 paved parking spaces to previously approved Parking Lot Q is proposed to address the need for more parking for approved and proposed Docks H1 through H4. The Proposed Master Plan also shows the paving of an existing gravel truck and trailer parking lot (Parking Lot T) associated with the boat launching ramp. This will be paved to better improve facilities and decrease associated cost with ongoing gravel maintenance. The marina calculated parking for wet slips/docks by utilizing the one parking space for 1.5 slips calculation (recommended by the Corps of Engineers). For the dry stack, Gas Island and boat rentals parking area, the marina relied on their experience with the actual level of parking on busy summer days and average number of boat rental contracts, boat service work orders, Ship Store sales, and tables served at the restaurant to calculate sufficient parking in these areas.

Not building sufficient parking spaces leads to several problems. The parking lots can get completely full, and the marina would have to turn away customers who may want to use their boat, rent a boat, or enjoy other services the marina offers to the public from boat repairs to the Ship Store to the marina's restaurant. Lack of sufficient parking results in visitors parking in non-marked areas (alongside the road, in the woods, on the grass, in front of dumpsters, in handicap spots, etc.). Parking in these areas creates erosion, accidents, stranded motorists who get "stuck" within roadside ditches, traffic jams, and decreased access for truck deliveries. Lack of parking is also bad for business. If a boating customer often finds themselves parking in poor conditions, far away from their slip where they have to carry items back and forth, they'll likely find a slip with more convenient parking at a competitive marina the next season.

The Proposed Master Plan includes the expansion of the Gas Island boat parking, specifically the addition of courtesy docks, the expansion of a platform at the fuel dock, and the expansion of the boat rental dock. The demand for boat rentals on Lake Lanier has steadily increased over the past 30 years that the marina has been providing this service. To meet the continued increase in demand and keep the rental price affordable, the marina will need to slowly continue expansion of their fleet and thus boat parking/docks to accommodate the demand. In addition, the demand for other boating services, including the marina's Gas Island, floating Ship Store, and restaurant, continues to grow, which creates the need for some additional courtesy boat parking (courtesy docks) in the general area of the Gas Island. The Proposed Master Plan also shows a proposed pumpout and fuel dock on the North Harbor portion of the marina. This is needed to spread out boat traffic and provide additional pumpout and fuel services to guests, as the demand for these services continues to increase.

Additional bathrooms buildings/facilities are shown on the Proposed Master Plan. This includes a proposed bathroom building at existing and/or proposed Parking Lots H, N, S and Q. These

bathroom buildings will be small, simple bathroom facilities with 2-3 toilets for each side (men's and women's) and possibly one shower for each, depending on permitting with the Forsyth County Health Department. The need for additional bathroom facilities at these locations is based on existing and anticipated public traffic and the current lack of bathroom facilities at Port Royale Marina.

The advantage of the overall plan is that Port Royale Marina would be updated and expanded to meet current and future growth needs. By limiting and targeting specific needs, the facility will be able to absorb the costs of the proposed plan without incurring debilitating liabilities.

d. Authority:

The construction of Lake Sidney Lanier (originally the Buford Dam multi-purpose project) was authorized by the Rivers and Harbors Act approved July 24, 1946, Public Law 525, 79th Congress, 2nd Session. The construction of Buford Dam was completed in 1957 and Lake Sidney Lanier was designated as such by Public Law 56-457 and approved on March 29, 1956. Recreational facilities were authorized by Section 4 of the Flood Control Act of 1944 as amended (Title 10, USC 460d). The authorization included the use of the lake for boating, parks, and other outdoor recreational activities and associated development.

The Final Environmental Impact Statement (EIS) for Lake Sidney Lanier Georgia (Lanier O&M EIS), dated November 2003 by the USACE (<http://www.sam.usace.army.mil/Portals/46/docs/recreation/OP-SL/Brochures/2003FullEIS.pdf>), indicated natural, cultural, and developed resources of projects are to be managed in the public interest, providing the public with safe and healthful recreational opportunities while protecting and enhancing resources.

Title 16, United States code, Section 460d, states in pertinent part: "The Chief of Engineers, under the supervision of the Secretary of the Army, is authorized to construct, maintain, and operate public park and recreational facilities at water resources development projects under control of the Department of the Army, to permit the construction of such facilities, by local interest (particularly those to be operated and maintained by such interests), and to permit the maintenance and operation of such facilities by local interest." "Preference shall be given to Federal, State, or local governmental agencies, and agencies for the use of all or any portion of a project area for any public purpose, when the Secretary of the Army determines such action to be in the public interest, and for such periods of time upon such conditions he may find advisable."

Pursuant to the Recreation Lakes Act of 1996, Public Law 104-333 (http://corpslakes.usace.army.mil/employees/cecwon/pdfs/nat_lakes.pdf), the President of the United States appointed the National Recreation Lakes Study Commission to review opportunities for enhancing water-based recreation at Federal Lakes. The Commission's charge, in part, was to "make recommendations on alternatives for enhanced recreation opportunities . . . emphasizing private sector initiatives in concert with State and local units of government." The Commission's recommendations can be found in their report, "Reservoirs of Opportunity", which can be viewed online at <https://www.usbr.gov/pn/programs/studies/oregon/burntriver/reference/reservoirs.pdf>.

2. ENVIRONMENTAL SETTING WITHOUT THE PROJECT:

This section provides background information on the existing physical, natural, and cultural environments within and surrounding Port Royale Marina. Sources of this information include multiple research documents, site survey information, field data collection, and the Port Royale

Marina Master Plan.

The project study area includes the existing footprint of Port Royale Marina and its immediate surrounding vicinity. The total project area is approximately 65 acres. The project study area is defined in Figure included within Appendix A. The project study area is used for a general reference to gather existing data/conditions of the area and to formulate the information contained in this section. The area is also used to evaluate any potential environmental impacts that will be discussed in Section 4, Environmental Impact of the Recommended Plan.

a. General Environmental Setting:

Lake Lanier covers 39,038 acres at the full pool elevation of 1071 feet above mean sea level (msl) and has a perimeter shoreline of 693 miles. Lake Sidney Lanier's Buford Dam is located at river mile 348.3 on the Chattahoochee River. The lake covers land located within both the Chattahoochee and Chestatee River valleys and includes land holdings in Dawson, Forsyth, Gwinnett, Hall, and Lumpkin Counties. The southern end of the lake, near the dam, is located approximately 35 miles northeast of metropolitan Atlanta. The USACE controls approximately 17,744 acres above full pool, of those, approximately 2,400 acres are open land, and the remainder is forested with a mixture of hardwoods including *Quercus* (oaks), *Carya* (hickories), *Ulmus* (elm), *Magnolia grandiflora* (Southern magnolia), *Fraxinus* (ash), *Platanus occidentalis* (sycamore), *Diospyros virginiana* (persimmon), *Cornus* (dogwood), and various *Pinus* (pine) species.

The Port Royale Marina consists of approximately 65 acres, located on the western shoreline of Lake Sidney Lanier in Forsyth County. The marina is located approximately 0.1 aerial miles southeast of the intersection of GA-369 and Port Royale Drive. The site is accessed via Port Royale Drive, which is a two-lane, asphalt-paved road which extends onto the Project Site and connects to GA-369. Entry into the marina is restricted by a security gate and guard house.

The existing developed portion of the marina/lease area includes paved drives traversing through the marina from the gate entrance with security office on the northwestern portion of the lease area, to the North Harbor and South Harbor portions of the marina. Some paved and unpaved parking areas are located along these drives. The North Harbor portion of the lease area includes an existing boat ramp, travel lift, pumpout dock, an amenity building, several docks/wet slips, and aforementioned drives and parking. The Middle Harbor portion of the lease area includes docks/wet slips, portions of drives and parking areas. The South Harbor portion of the lease area is developed with dry-stack boat storage and associated boat ramps, Lake Lanier's largest marine repair service center, boat rental and sales facilities, a floating gas island and ship store with self-service and full-service pumps, the convenience store Lighthouse at the Port, the restaurant Pelican Pete's Bar and Grill, a heated bathhouse, docks/wet slips, portions of drives and parking areas. The remainder of the lease area is undeveloped and mostly wooded. The land developed area of the marina encompasses approximately 11 acres of paved surfaces for drives, parking areas, boat ramps, and dry stack work areas and approximately 1.7 acres of existing building footprint. The remainder of the land-leased area (about 52 acres) is undeveloped and mostly wooded with some grassed and/or gravel parking areas and vacant grassed land.

The Lake Sidney Lanier portion of Port Royale Marina consists of several coves on the Middle and North Harbor portions of the marina with a stretch of shoreline also on the North Harbor portion of the marina. Additional information regarding the existing conditions of the lease area as a whole is provided below. The Port Royale Marina includes the entire lease area and is referred to herein as the Project Site.

b. Significant Resource Descriptions:

(1) Wetlands and Streams.

A preliminary wetland investigation was performed on the Project Site by a qualified wetland biologist from United Consulting. The wetland investigation included a review of available wetland maps, soils map, and an on-site field evaluation. A summary of the map review and site investigation is provided below.

The National Wetland Inventory (NWI) map of the Project Site did not indicate previously mapped wetland areas on the Project Site. Lake Sidney Lanier is mapped as a palustrine permanently flooded aquatic system and would be classified as a deep water habitat.

The soil survey map for the Project Site indicated the following soils were mapped on the Project Site: Gullied land, acid materials (Ga), Louisa fine sandy loam, eroded gently sloping phase (LcC2), Louisa fine sandy loam, moderately steep phase (LcE), Louisa fine sandy loam, steep phase (LcF), Louisa fine sandy clay loam, severely eroded moderately steep phase (LdE3), and Madison fine sandy loam, eroded very gently sloping phase (MbB2). These soil types are not included on either the local or the national hydric soils lists. Copies of the NWI map and soil survey map are included as Figures 4 and 5, respectively, and are located in **Appendix A**.

Based on United Consulting's site reconnaissance of the Project Site in October of 2019, no wetland areas or streams were identified within the Project Site. At the time of the site visit, the water level in the lake was about 3 feet below the normal pool elevation.

(2) Fishery Resources.

Lake Sidney Lanier is a popular recreational fishery. The O&M EIS for Lake Sidney Lanier indicated the presence of five popular sport fish species. These five species include crappie (*Pomoxis nigromaculatus*), largemouth bass (*Micropterus salmoides*), spotted bass (*Micropterus punctatus*), striped bass (*Morone saxatilis*), and white bass (*Morone chrysops*). In addition to the five popular sport fish species, other important fish species in the project area include sunfish (*Lepomis spp.*), channel catfish (*Ictalurus punctatus*), white catfish (*Ameiurus catus*), and carp (*Cyprinus carpio*). Some species of trout exist in Lake Sidney Lanier and below the Buford Dam in the Chattahoochee River. Trout are also stocked in a "put-and-take" fishery below the Buford Dam by the GDNr. Fishing is one of the major recreational draws of Lake Sidney Lanier.

(3) Wildlife Resources and Habitat.

The existing vegetation varies slightly across the Project Site and includes stands of mature pines and mixed pine/hardwood forest. The forested areas included loblolly pine (*Pinus taeda*), white oaks (*Quercus alba*), Chinese privet (*Ligustrum sinense*), red oaks (*Quercus rubra*), black gum (*Nyssa sylvatica*), and honeysuckle vines (*Lonicera japonica*). Non-forested, non-developed areas are maintained in a park-like setting with mowed grasses and ornamental landscaping.

Photos of the Project Area are included as **Appendix C**.

Typical wildlife species found in the Apalachicola Chattahoochee Flint (ACF) river basin include whitetail deer (*Odocoileus virginianus*), raccoon (*Procyon lotor*), Virginia opossum (*Didelphis virginiana*), mourning dove (*Zenaidura macroura*), Eastern cottontail rabbit (*Sylvilagus floridanus*), and gray squirrel (*Sciurus carolinensis*). Several avian species are also found in the Lake Sidney Lanier area. Some common summer species include Canada geese (*Branta canadensis*), great

blue herons (*Ardea herodias*), green-backed herons (*Butorides striatus*), kingfishers (*Ceryle alcyon*), and ospreys (*Pandion haliaetus*). All of these species can be found at times within the Project Area.

(4) Threatened and Endangered Species.

The Georgia DNR Wildlife website was searched for at-risk animal and plant species occurring in the Hydrologic Unit Code (HUC) 8 watershed (HUC Code 03130001) that includes Lake Sidney Lanier. At-risk species are those that are identified by the U.S. Fish and Wildlife Service (FWS) or the State of Georgia as endangered, threatened, rare, unusual, or candidate species for listing. Federally listed threatened and endangered species are protected under the Endangered Species Act of 1973. This Act was designed to protect critically imperiled species from extinction due to "the consequences of economic growth and development untempered by adequate concern and conservation". The federally listed species and their status are included below in Table 1.

Table 1 – Federal Listed Protected Species Identified in Lake Sidney Lanier Watershed

| SPECIES | Identified within HUC 8 Chattahoochee/ Lake Lanier Watershed | Forsyth County IPAC Report | FEDERAL STATUS |
|---|--|-------------------------------------|-------------------|
| ANIMAL SPECIES | | | |
| Shinyrayed pocketbook (<i>Hamiota subangulata</i>) | X | | Endangered |
| Northern long-eared bat (<i>Myotis septentrionalis</i>) | X | X | Threatened |
| Amber Darter (<i>Percina antesella</i>) | | X | Endangered |
| Cherokee Darter (<i>Etheostoma scotti</i>) | | X | Threatened |
| Etowah Darter (<i>Etheostoma etowahae</i>) | | X | Endangered |
| PLANT SPECIES | | | |
| Smooth purple coneflower (<i>Echinacea laevigata</i>) | X | | Endangered |
| Swamp Pink (<i>Helonias bullata</i>) | X | | Threatened |
| Small whorled pogonia (<i>Isotria medeoloides</i>) | X | | Threatened |
| Monkeyface fringeless orchid (<i>Platanthera integrilabia</i>) | X | X | Threatened |
| Dwarf Sumac (<i>Rhus michauxii</i>) | X | | Endangered |
| Florida torreya (<i>Torreya taxifolia</i>) | X | | Endangered |

A Field investigation was conducted on the property by wildlife biologist Mr. David P. Huetter with United Consulting in October of 2019. The smooth purple coneflower (endangered), swamp pink (threatened), small whorled pogonia (threatened), monkeyface fringeless orchid (threatened), dwarf sumac (endangered), and Florida torreya (endangered) were identified as federally protected plant species within the HUC 8 watershed that includes Lake Sidney Lanier, according to the DNR report. The monkeyface fringeless orchid (threatened) was also identified as a plant

species in the IPAC report for Forsyth County, Georgia that could potentially inhabit the Project Site. The required habitat for the monkeyface fingless orchid, swamp pink, and black spored quillwort was not observed within the lease area as these species are obligate wetland species. Additionally, the required habitat for the smooth purple coneflower, which consists of grassy openings and rocky glades with shallow soil over mafic bedrock was not observed on the Project Site. Habitat suitable for the dwarf sumac, which consists of dry, open, rocky, or sandy woodlands over mafic bedrock was also not observed on the Project Site. The Florida torreya has never been found in Georgia and based on the habitat conditions, suitable habitat for this species was not noted on the Project Site. The habitat conditions needed for the small whorled pogonia consist of acidic soils of mixed hardwood-pine forests on lower slopes and stream terraces, often with chestnut oak, red maple, hemlock, white pine or Virginia pine, lowbush blueberry, Indian cucumber root, and New York fern. Based on the lack of lower slopes and stream terraces on the Project Site, it is unlikely small whorled pogonia is located on the Project Site. Additionally, none of these plant species were noted on-site during the field investigation.

In addition, four federally listed animals were identified in the IPAC report and two within the DNR report. The DNR report identified the shinyrayed pocketbook (endangered) as potentially occurring in the Project Site area. As the Project Site does not contain medium sized streams to large rivers, habitat conditions indicative of the shinyrayed pocketbook were not noted on the Project Site. The IPAC report for Forsyth County also identified the fish's amber darter (endangered), Cherokee darter (threatened), and Etowah darter (endangered) as potentially located within the Project Site area. These darter species are located within the Etowah River basin and not within the Chestatee or Chattahoochee basins.

The remaining listed species was the northern long-eared bat (threatened) which was identified on both the DNR and IPaC species lists. This species has been identified during warmer months in Georgia and have been found in mature trees with exfoliating bark, cracks, and cavities suitable for roosting. A few trees suitable for the northern long-eared bat were observed during the site reconnaissance. A copy of the USFWS and GDNR species lists are included in **Appendix D**.

(5) Historic and Archeological Resources.

With the exception of a few small tracts to the north, the fee-owned government lands surrounding Lake Sidney Lanier were surveyed for cultural resources between the late 1930s and 1987. These surveys are referenced in Section 3.10 *Cultural Resources* of the *Final Environmental Impact Statement for the Operation and Maintenance of Lake Sidney Lanier, Georgia*. According to the EIS, only six archaeological sites and no standing historic structures eligible or potentially eligible for listing on the National Register of Historic Places (NRHP) are located within the government fee-owned lands surrounding Lake Sidney Lanier. The results of these surveys were coordinated with the Georgia State Historic Preservation Office (SHPO) as part of the process for completing the *Historic Properties Management Plan for Sidney Lanier Project, Georgia* in March 1997.

Further, a literature review and research of the Project Site area was conducted by a professional cultural resource firm, R.S. Webb & Associates, to determine if any of the previously identified archaeological sites were located within the Project Area. The research included a review of documented National Register of Historic Places (NRHP), the Georgia Archeological Site File (GASF), and Forsyth and Hall County historic structure survey files. No NRHP-listed properties or surveyed historic structures were located within one-half mile of the Project Site. One state-recognized historic structure, a historic residence, was identified within one-half mile of the Project Site. One archaeological site, a prehistoric lithic scatter, was identified on the Project Site and two archaeological sites were identified within 500 feet of the Project Site. The on-site prehistoric lithic

scatter is recommended ineligible for the NRHP. The two archaeological sites located within 500 feet of the Project Site were a prehistoric lithic scatter and a middle Archaic/Early Mississippian artifact scatter, which are both beneath Lake Sidney Lanier at this time. Based on the file review and existing conditions of the Project Site, it is unlikely that significant cultural resources are located on the Project Site. A copy of the literature review report is included in **Appendix E**.

In accordance with the Native American Graves Protection and Repatriation Act of 1990 and 43 CFR 10, the following provision must be observed. In the unlikely event that an inadvertent discovery of previously unknown cultural resources or potential human remains are uncovered during construction, all work must cease, the discovery must be protected, and the Mobile District Archaeologist, the Lake Sidney Lanier project manager, as well as the Georgia State Archaeologist must be contacted immediately. A copy of the Inadvertent Discoveries Plan for Cultural Resources is included in **Appendix E**.

(6) Navigation.

Navigation is an authorized purpose of the Buford Dam Project based on its ability to store large quantities of water and provide low flow augmentation for commercial navigation downstream in the Chattahoochee and Flint Rivers. Commercial navigation extends to Bainbridge, Georgia on the Flint River and to Columbus, Georgia, and Phenix City, Alabama on the Chattahoochee River. However, navigation on Lake Sidney Lanier is limited to recreational boat traffic. As one of the most heavily visited lakes in the country, recreational traffic is quite heavy at times, particularly on holidays and weekends.

(7) Recreation.

Lake Sidney Lanier is a common recreational area for local residents of metro Atlanta and out-of-town visitors. Common recreational activities at the lake include water sports, fishing, swimming, and pleasure boating. Special events such as fishing tournaments, athletic events, and festivals are held at many of the facilities around the lake. Port Royale Marina is lightly used during weekdays but is heavily used on the weekends in the spring and summer months. Port Royale Marina contains boat rental and sales facilities and a boating store for recreational users' needs, providing opportunity for recreational activities.

(8) Aesthetics.

The aesthetics of Port Royale Marina provides a family, recreation, and park-like atmosphere with accessible boat ramps, boat docks, paved drives and parking areas for vehicles. Lake Lanier's largest marine repair service center, dry-stack boat storage, boat rentals, boat sales, wet slip rentals, a floating gas island and ship store with self-service and full-service pumps, the convenience store Lighthouse at the Port, and the restaurant Pelican Pete's Bar and Grill provide a marina and commercial atmosphere. The other portions of the property provide a natural, mostly wooded condition with views of the lake. Much of the 100-foot buffer around the lake is wooded with the exception of areas on the Middle and North Harbor portions of the marina, which is partially paved parking, drives, or cleared grassed land.

(9) Air Quality.

Port Royale Marina is located within Forsyth County, Georgia which is located in the greater Atlanta nonattainment zone for ozone and particulate matter. The nonattainment is primarily due to vehicular emissions and particulate matter. Current activities at Port Royale Marina do not significantly contribute to the nonattainment condition.

(10) Water Quality.

The Georgia Department of Natural Resources (DNR) and the U.S. Environmental Protection Agency (EPA) share the responsibility of maintaining water quality at Lake Sidney Lanier. Georgia DNR conducts water quality tests at a fixed point just north of Buford Dam and the USACE conducts fecal coliform bacteria testing at the 23 public beach areas due to the large goose population at Lake Sidney Lanier. As of the date of this writing, none of the public beaches had to be closed due to high concentrations of fecal coliform bacteria at the public beaches.

The Lanier O&M EIS dated November 2003 by the USACE indicated that the overall water quality is considered satisfactory for the designated uses of the reservoir. The areas in the Chattahoochee River and Chestatee River arms of the lake, where the water is shallower, reportedly have the highest levels of turbidity, total suspended solids, chlorophyll a, and nutrient concentrations, while the main body of the lake has the greatest transparency and the lowest fecal coliform counts and nutrient concentrations. The Lake Lanier Association has been coordinating with the Adopt-a-Lake program for water quality monitoring of 30 sites across the lake since 1999. The monitoring includes evaluation of temperature, water clarity, and chlorophyll a. Based on the data obtained, the water quality in Lake Sidney Lanier has reportedly remained consistent.

No streams were identified on the Project Site and no apparent water quality impact sources were noted.

Based on review of the EPA and EPD 2018 Integrated 305(b)/303(d) List of Waters Not Supporting Designated Uses, at least 26 stream/lake reaches are included on the 303(d) list within 10 linear miles of the Project Site. All of these streams/lake reaches were located in a separate watershed from the Project Site or were not immediately up or down-gradient of the Project Site. Several streams reach that flowed into Lake Lanier were listed on the 303(d) list due to either fecal coliform due to non-point source pollution or impacted fish biota and/or fecal coliform due to urban runoff. These stream reaches were located more than 3 stream miles up-gradient of the lease and Lake Lanier was not listed on the 303(d) list at the point of convergence. An up-gradient portion of Lake Lanier (Little River Branch in Hall County) was listed on the 303(d) list due to not supporting its designated use for drinking water and recreation because of pH from non-point source pollution. Lake Lanier in the area of the marina was not listed on the 303(d) list; however, water in this section of Lake Lanier was reportedly placed in Category 3 because the growing season average for chlorophyll a exceeded the criteria once in the last 5 years. An assessment was noted as pending for Lake Lanier in the area of the marina. As proper storm water and sanitary management practices are planned to be utilized, the site work should not significantly impact the lake/stream reaches.

(11) Floodplain.

The local FEMA Floodplain maps (13117C0100F and 13117C0180F), dated March 4, 2013, were reviewed. Based on the map review, most of the Project Site is above the 100-year flood elevation of 1,085 feet above mean sea level (amsl). However, portions of the lease area are located within the mapped floodplain. The flood effects along Lake Sidney Lanier are managed through discharges from Buford Dam. Since construction, Lake Sidney Lanier has never reached the 100-year flood elevation, with the highest recorded elevation being 1077.2 feet amsl, which occurred in April of 1964. A copy of the floodplain map is included in Appendix A as Figure 6.

(12) Socio-economics.

Based on information from the U.S. Census Bureau (<http://factfinder.census.gov/>), the population of Forsyth County was 179,684 in 2010. Forsyth County, located adjacent to the west was 175,511 in 2010, while nearby Gwinnett County and Dawson County was 805,321 and 22,330 in 2010, respectively. Historical census data from 2000 suggests that Forsyth County experienced a population growth rate of 129%, while Dawson, Forsyth, and Gwinnett Counties experienced population growths of 139%, 178% and 137%, respectively, over the same time period. The populations of these counties are influenced by access to jobs in the metro Atlanta area, reasonable housing costs, and extensive recreational opportunities. The current lease area is surrounded by single-family residential homes.

(13) Prime and Unique Farmlands.

The soil survey report of Forsyth County indicated that the Louisa fine sandy loam, eroded gently sloping phase (LcC2) was farmland of statewide importance and Madison fine sandy loam, eroded very gently sloping phase (MbB2) was considered prime farmland. The area mapped with MbB2 soils is just a small sliver of the marina, is currently wooded land, and will remain wooded land per the Proposed Master Plan. The area mapped with LcC2 soils extends across the southwestern, central, and northeastern portions of the marina, in existing developed area or areas previously approved by the USACE for development. The Project Site is located within the Lake Residential Zoning District (LR).

(14) Hazardous and Toxic Materials.

No indications of petroleum or hazardous substance contamination were observed at Port Royale Marina. A review of Georgia Environmental Protection Division (GA EPD) records identified Port Royale Marina as an operator of one 20,000-gallon gasoline underground storage tank (UST) and one 10,000-gallon gasoline UST. GA EPD records indicated that the facility formerly operated six other gasoline USTs, ranging in size from 1,000 gallons to 10,000-gallons. Two 12,000-gallon gasoline USTs were listed as temporarily out of use at the marina. GA EPD files indicated a leaking UST (LUST) was identified at this facility in December 1996 and that the GA EPD granted No Further Action (NFA) for the release in September 2013 due to remediation at the marina. According to GA EPD records, the on-site UST appears to be in compliance with current GA EPD requirements.

(15) Land Use.

Currently, Port Royale Marina is utilized as a marina for commercial, leisure, and recreational use. The property contains Lake Lanier's largest marine repair service center, dry-stack boat storage, boat rentals, boat sales, boat ramps, docks, wet slip rentals, a floating gas island and ship store with self-service and full-service pumps, the convenience store Lighthouse at the Port, and the restaurant Pelican Pete's Bar and Grill. The Port Royale Marina maintains the property and associated buildings. The site has been developed accordingly, and includes parking areas, drives, docks, boat ramps, and various buildings associated with activities and businesses at the marina. Surrounding properties are developed with single family residences.

(16) Vehicular Traffic.

Port Royale Marina is located along Port Royale Drive. Development off this road, west of the marina, consists of single-family residences. Current vehicular traffic along Port Royale Marina is limited to local residents and visitors of the marina.

(17) Noise.

The facilities at Port Royale Marina are relatively isolated and therefore do not routinely disrupt typical day-to-day activities on the properties surrounding the lease. Potential sources for noise at the marina and the surrounding properties would be primarily from vehicular and boat traffic, boat maintenance activities, and other typical maintenance activities (lawn mowers, leaf blowers, etc.).

3. DESCRIPTION OF THE RECOMMENDED PLAN:

Generally, the recommended plan allows Port Royale Marina to provide its visitors upgraded and new facilities to meet current and future growth needs. The Proposed Master Plan shows a number of actions that have been previously approved by the USACE. These proposed activities are further discussed within the Cumulative Impacts section of this EA. Generally, the recommended plan can be broken down into five categories of proposed actions

- (1) Wave break relocation
- (2) Re-arrangement of existing and previously approved boat storage (docks & dry stack) and addition of cart corrals at docks
- (3) Additional automobile parking and roads and re-arrangement of existing and previously approved automobile parking and roads
- (4) Expansion of Gas Island boat parking (courtesy docks, boat rentals) and additional pump out and fuel dock and drive-in boat wash
- (5) Additional bathroom facilities

Boat storage re-arrangement of wet slips/docks and dry stack storage is included in the Proposed Master Plan. The marina has previously been approved to house 1,625 boat storage spaces. The Proposed Master Plan lays out the proposed configuration of these wet slips/docks and dry storage spaces. Replacement of old docks and/or dock sections of Docks 1, 2, 6, 11, A, and G1 is proposed as these docks are near the end of their service life. As a convenience to visitors, the marina has carts that can be used by visitors to haul items to/from their automobile and their boat. The Proposed Master Plan proposes the addition of cart corrals at each of the docks, which are needed to keep the marina looking clean and free from scattered carts.

The marina currently has 466 dry stack boat storage spaces and was previously approved for a total of 537 dry stack spaces. The Proposed Master Plan removes 170 dry stack spaces and adds 29 dry stack spaces for a total of 325 dry stack boat storage spaces.

With more than 10 years of experience running Port Royale Marina, marina personnel have a much better idea of traffic flow and parking needs than when the previous Master Plan was approved. The Proposed Master Plan includes the proposed addition of paved Parking Lot S (88 spaces) for dry stack customers and an associated paved access road to connect to the parking lot. The addition of 96 paved parking spaces to previously approved Parking Lot M and the addition of 24 paved parking spaces to previously approved Parking Lot L are proposed to address the need for more parking for boat rental customers. The addition of 72 paved parking spaces to previously approved Parking Lot Q is proposed to address the need for more parking for approved and proposed Docks H1 through H4. The Proposed Master Plan also shows the paving of an existing gravel truck and trailer parking lot (Parking Lot T) associated with the boat launching ramp.

The recommended plan includes the expansion of the Gas Island boat parking, specifically the addition of courtesy docks, the expansion of a platform at the fuel dock, and the expansion of the boat rental dock. The Proposed Master Plan also shows a proposed pumpout and fuel dock on the North Harbor portion of the marina. Also planned is a drive-in boat wash, which is a fully-contained, floating mechanical boat wash system. This system will be placed into an existing slip at the marina and has previously been approved for use at Lake Lanier. A copy of the boat wash sublease approval and permit application is attached in **Appendix F**.

Additional bathrooms buildings/facilities are shown on the Proposed Master Plan. This includes a proposed bathroom building at existing and/or proposed Parking Lots H, N, S and Q. These bathroom buildings will be small, simple bathroom facilities with 2-3 toilets for each side (men's and women's) and possibly one shower for each, depending on permitting with the Forsyth County Health Department.

Appropriate best management practices (BMPs) will be utilized during construction activities. A copy of the Proposed Master Plan is attached in **Appendix B**.

4. ENVIRONMENTAL IMPACT OF THE RECOMMENDED PLAN:

a. Biological and Physical Impacts:

Unavoidable adverse effects would emanate, primarily, from minor land disturbance associated with construction activities and removal of vegetation for construction of proposed parking areas, the access drive, and bathroom facilities. The location of some of the proposed parking areas and bathroom facilities are already cleared. Therefore, clearing of portions of the marina for the proposed actions would have little effect on the overall existing vegetation at the marina. The recommended plan does not anticipate a significant impact to existing vegetation. The proposed layout and use of existing cleared areas significantly limits the amount of vegetation that needs to be removed.

(1) Wetlands and Streams.

A wetlands investigation was performed for the Project Site. Wetlands and streams were not identified on the Project Site. The wetland investigation for this project was conducted by a qualified wetland consultant and consultation with the USACE Regulatory Division should not be necessary as no wetland or stream impacts are proposed under the preferred alternative.

(2) Fishery Resources.

The implementation of the plan would not significantly impact the local fishery. The alterations of proposed docks/wetlands should provide improved shallow water habitat for the fishery. The placement of the docks/wetlands will provide additional cover as well as structure, in an area where natural coarse woody debris is limited. Appropriate/applicable permits for construction of the docks/wetlands will be obtained prior to implementation, as needed.

(3) Wildlife Resources and Habitat.

While the lease area currently provides habitat for some small mammals, songbirds, reptiles and amphibians, the proposed action would not result in a significant disturbance to the native habitat. Long-term disturbance to potential habitat (grassed and forested areas) would result from construction of some of the proposed paved parking, drive, and bathroom facilities. The majority of additions shown on the Proposed Master Plan have already been previously approved and are not covered as direct impacts in this EA. The current proposed revisions to the existing Master Plan are not anticipated to result in a significant impact on wildlife resources.

(4) Endangered and Threatened Species.

Suitable habitat for the listed plant species, referenced in Table 1 of this report, was not identified on the Project Site. Additionally, presence of these plant species was not noted on-site during the October 2019 field investigation.

In addition, four federally listed animals were identified in the IPAC report and two within the DNR report. The DNR report identified the shinyrayed pocketbook (endangered) as potentially occurring in the Project Site area. The IPAC report for Forsyth County also identified the fish's amber darter (endangered), Cherokee darter (threatened), and Etowah darter (endangered) as potentially located within the Project Site area. These darter species are located within the Etowah River basin and not within the Chestatee or Chattahoochee basins. Suitable habitat for the listed clam and fishes was not identified on the Project Site.

The remaining listed species was the northern long-eared bat (threatened), listed within the DNR report. Forsyth County is located within the summer range of these species. The summer habitat for the northern long-eared bat reportedly consists of forested land with trees suitable for roosting. Trees suitable for roosting typically include mature live and/or dead trees which have exfoliating bark, cracks, and cavities. A few trees were observed on the Project Site during the site reconnaissance that could provide suitable roosting habitat.

Based on a review of the critical habitat descriptions for the listed bat species, it is possible that the northern long-eared bat inhabits the Project Site during the summer months as trees suitable for roosting were noted on-site during the site reconnaissance. Based on the proposed development plan, we do not anticipate that suitable roost trees will be removed for implementation of the Proposed Master Plan. However, due to the possible presence of this species on-site during the summer months, field surveys for the presence of the northern long-eared bats will be conducted prior to the removal of suitable roost trees or tree removal will only be done in non-summer months when the bats would not inhabit the Project Site.

Based on the lack of habitat conditions required on-site for the remaining federally protected species, the proposed activity will have no effect on these listed species.

(5) Historic and Archeological Resources.

With the exception of a few small tracts to the north, the fee-owned government lands surrounding Lake Sidney Lanier were surveyed for cultural resources between the late 1930s and 1987. These surveys are referenced in Section 3.10 *Cultural Resources* of the *Final Environmental Impact Statement for the Operation and Maintenance of Lake Sidney Lanier, Georgia*. According to the EIS, only six archaeological sites and no standing historic structures eligible or potentially eligible for listing on the National Register of Historic Places (NRHP) are located within the government fee-owned lands surrounding Lake Sidney Lanier. The results of these surveys were coordinated with the Georgia State Historic Preservation Office (SHPO) as part of the process for completing the *Historic Properties Management Plan for Sidney Lanier Project, Georgia* in March 1997.

Further, a literature review and research of the Project Site area was conducted by a professional cultural resource firm, R.S. Webb & Associates, to determine if any of the previously identified archaeological sites were located within the Project Area. The research included a review of documented National Register of Historic Places (NRHP), the Georgia Archeological Site File (GASF), and Forsyth and Hall County historic structure survey files. No NRHP-listed properties or surveyed historic structures were located within one-half mile of the Project Site. One state-recognized historic structure, a historic residence, was identified within one-half mile of the Project

Site. One archaeological site, a prehistoric lithic scatter, was identified on the Project Site and two archaeological sites were identified within 500 feet of the Project Site. The on-site prehistoric lithic scatter is recommended ineligible for the NRHP. The two archaeological sites located within 500 feet of the Project Site were a prehistoric lithic scatter and a middle Archaic/Early Mississippian artifact scatter, which are both beneath Lake Sidney Lanier at this time. Based on the literature review and existing conditions of the Project Site, the proposed activity is not anticipated to result in adverse impacts to NRHP-listed or eligible properties. A copy of the literature review report is included in **Appendix E**.

In accordance with the Native American Graves Protection and Repatriation Act of 1990 and 43 CFR 10, the following provision must be observed. In the unlikely event that an inadvertent discovery of previously unknown cultural resources or potential human remains are uncovered during construction, all work must cease, the discovery must be protected, and the Mobile District Archaeologist, the Lake Sidney Lanier project manager, as well as the Georgia State Archaeologist must be contacted immediately. A copy of the Inadvertent Discoveries Plan for Cultural Resources is included in **Appendix E**.

(6) Navigation.

The proposed action will not significantly affect navigation on Lake Sidney Lanier. The proposed alterations to wet slips/dock and the wavebreak will allow guests easier access to Lake Lanier and the facilities at Port Royale Marina. The proposed alterations may slightly increase boating traffic around the marina; however, as Lake Lanier is one of the most heavily visited lakes in the country and the plan does not propose a significant increase in slips, any increase in recreational traffic should not have a significant effect on existing navigation on Lake Lanier.

(7) Recreation.

Construction of the courtesy docks and pumpout/fuel dock and the expansion of the rental dock will allow for a larger number of guests to utilize site amenities on a daily/weekly basis and will provide better unimpeded access to Lake Sidney Lanier. The overall improved conditions of Port Royale Marina will bring in new customers and recreational users of the lake. Therefore, the proposed actions will have a beneficial impact on recreation.

(8) Aesthetics.

Currently, the aesthetics of Port Royale Marina provides a family, recreation, and park-like atmosphere with accessible boat ramps, boat docks, and paved drives and parking areas for vehicles. Lake Lanier's largest marine repair service center, dry-stack boat storage, boat rentals, boat sales, wet slip rentals, a floating gas island and ship store with self-service and full-service pumps, the convenience store Lighthouse at the Port, and the restaurant Pelican Pete's Bar and Grill provide a marina and commercial atmosphere. The other portions of the property provide a natural, mostly wooded condition with views of the lake. Much of the 100-foot buffer around the lake is wooded with the exception of areas on the Middle and North Harbor portions of the marina, which is partially paved parking, drives, or cleared grassed land. The proposed plan does not alter the Project Site character. No effects to the aesthetics are anticipated. The members of Port Royale Marina enjoy the family, recreation, marina, and park-like atmosphere and the Port Royale Marina intends to maintain that condition with the proposed plan.

(9) Air Quality.

The minor and temporary impacts associated with construction are not anticipated to adversely affect the ambient air quality of the area. No release or discharge of contaminants into the air is proposed from construction of the project or from daily operations that would significantly impact

the ambient air quality. No long-term adverse impacts to air quality are anticipated as a result of the proposed action.

(10) Water Quality.

The proposed development activities associated with this project will be performed in accordance with Sediment and Erosion Control Requirements in Georgia and in a manner to minimize sediment loss to the Lake. A proper National Pollutant Discharge Elimination System (NPDES) Permit will be obtained. Erosion control BMPs will be utilized to minimize sediment loss and impacts to water quality. Construction of the proposed docks will result in minimal soil disturbance and could result in a short-term and negligible increase in sedimentation within the lake. These potential minor impacts will be minimized by implementation of BMPs as required under the Sediment and Erosion Control Act and Forsyth County development codes.

(11) Floodplain Impacts.

With the exception of proposed dock/wavebreak alterations and the proposed cart corrals at docks, the proposed activities within the lease area will occur outside the limits of the 100-year floodplain. No alteration of the flood elevation will occur.

(12) Socio-Economics.

The Lanier EIS dated November 2003, indicates that the area surrounding Lake Sidney Lanier is rapidly growing in terms of both population and economics. Estimates for the direct and indirect economic effects of Lake Sidney Lanier on Atlanta and the north Georgia area were as high as 5.5 billion dollars a year in one study (Hughes, 2001). The census data shows increasing populations in the surrounding communities and other information indicates that added outdoor and boating recreation opportunities are important to the local community. The project will not change the socio-economics of the area.

(13) Prime and Unique Farmland.

The soil survey report of Forsyth County indicated that the Louisa fine sandy loam, eroded gently sloping phase (LcC2) was farmland of statewide importance and Madison fine sandy loam, eroded very gently sloping phase (MbB2) was considered prime farmland. The area mapped with MbB2 soils is just a small sliver of the marina, is currently wooded land, and will remain wooded land per the Proposed Master Plan. The area mapped with LcC2 soils extends across the southwestern, central, and northeastern portions of the marina, in existing developed area or areas previously approved by the USACE for development. The Project Site is located within the Lake Residential Zoning District (LR). As the area of prime farmland (MbB2) will not be disturbed, as the area of farmland of statewide importance (LcC2) in existing developed area or areas previously approved by the USACE for development (not considered impacts for this EA), as the Project Site is within the LR zoning district, and the Project Site is currently developed with a marina and is not used for agricultural purposes, further impact to prime and unique farmland is not anticipated.

(14) Hazardous and Toxic Materials.

The improvements will likely result in a slight increase in vehicular traffic to and from the marina. This will result in the slight increase in gasoline and oil use within the lease area and will result in an increase in *de minimis* staining within paved drives and parking areas; however, these increases should be minimal and will not cause a significant impact to the lease area. The proposed project does not include the replacement of the current fueling dock or associated USTs.

(15) Land Use Changes.

The recommended plan is consistent with the current use of the area as a marina and will provide additional recreational opportunities and leisure areas. The addition of vehicle parking and docks within the entirety of Port Royale Marina will expand capacity of the marina but will not significantly alter the land use of the area.

(16) Vehicular Traffic.

The proposed plan will likely result in a slight increase in the vehicular traffic to and from Port Royale Marina. The proposed plan is to construct additional parking spaces within the lease area to provide more access to the marina amenities, including the additional proposed docks. Therefore, with the increase in parking space and amenities, there is an anticipated increase in the number of vehicles. Access to the marina through a security gate will be unchanged.

(17) Noise Impacts.

The proposed action will not result in increased noise, other than the temporary noise generated during proposed construction activities.

b. Cumulative Impacts:

The CEQ defines cumulative effects as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions (40 CFR 1408.7).”

The primary impacts of the proposed improvements at the marina would include the minor, short-term impacts during construction of the site infrastructure. Additionally, all of the previously approved actions at the marina that have not been completed at this time are considered cumulative impacts. These actions include construction of residential Lakeview and Mountainview cottages, marina village lodging/shops, yacht club facility, activities pavilion, lodge/conference/spa with approximately 125 overnight rooms, nature trails using pervious materials, and additional docks and paved parking. It is unknown when or if several of these approved actions will commence. The use of BMPs during the site upgrades should minimize temporary construction impacts. Properties immediately surrounding Port Royale Marina and adjoining Lake Sidney Lanier are primarily developed with low to medium density residential communities. Some private properties located in the larger vicinity are still forested, which could be developed with residential homes in the future. As the nearby properties and the metropolitan Atlanta area continue to become developed, it is anticipated annual visitation to Lake Sidney Lanier will continue to grow increasing demands for additional recreational opportunities, lake services, and dockage. This growth could result in an increased demand for community services, roads, and other infrastructure.

Cumulative environmental impacts from the proposed developments at Port Royale Marina and surrounding properties are generally expected to include increased boat traffic, additional noise sources, traffic, and additional up-stream developments contributing to sediment deposition within the lake. The proposed improvements at Port Royale Marina are minimal when compared to development of other properties and will result in minimal site disturbance and impact. Further, the proposed improvements on the Port Royale Marina are not anticipated to be the catalyst for new development on surrounding or nearby properties. Proper management of future development by the local community through existing zoning restrictions, development ordinances, and state mandated BMPs, as well as future infrastructure improvements should

minimize the cumulative impacts. It is not anticipated Port Royale Marina will significantly contribute to the anticipated cumulative impacts.

5. ENVIRONMENTAL JUSTICE (EXECUTIVE ORDER 12898).

Executive Order (EO) 12898 of February 11, 1994, requires addressing, as appropriate, disproportionately high, and adverse human health or environmental effects of Federal actions on minority and low-income populations. No minority or low-income communities are located in close proximity to the property.

The proposed plan is not anticipated to create adverse health or environmental conditions. Further, the lease area is not located in an area where the residents are disproportionately minority and/or low income.

6. PROTECTION OF CHILDREN (EXECUTIVE ORDER 13045).

EO 13045 of April 21, 1997, requires, to the extent permitted by law and mission, identifying and assessing environmental health and safety risks to children posed by a proposed action. Potential health and safety risks would be present during the construction activities. As this area is utilized by families and children, equipment and construction areas will be properly fenced or contained and posted during construction to provide adequate safety and protection.

7. ANY IRREVERSIBLE OR IRRETRIEVABLE COMMITMENTS WHICH WOULD BE INVOLVED SHOULD THE RECOMMENDED PLAN BE IMPLEMENTED.

Any irreversible or irretrievable commitments of resources involved in the proposed action have been considered and are either unanticipated at this time or have been considered and determined to present minor impacts. The proposed action is reversible, and reclamation of the property could be easily conducted in the future to return the property to natural conditions. Reclamation, if needed, would include removal of site infrastructure, including buildings, roads, trails and parking areas, vegetative restoration, and the placement of possible obstructions or signage to impede access.

8. ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED.

Any adverse environmental effects which cannot be avoided should the recommended project be implemented are expected to be minor individually and cumulatively. These include minor soil disturbance from construction activities and removal of vegetation, as needed to complete the proposed actions.

9. THE RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF MAN'S ENVIRONMENT AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY.

The proposed project constitutes a short-term use of man's environment, will result in minimal environmental impacts, and is not anticipated to affect long-term productivity. The proposed use of the Project Site is compatible with surrounding uses and will provide additional outdoor leisure and recreation opportunities.

10. ALTERNATIVES TO THE RECOMMENDED PLAN.

a. “No Action” Alternative:

As evaluated in this EA, the “No-Action” alternative would consist only of maintenance of the existing infrastructure. Under the “No Action” alternative, the plan would not satisfy the need to update and improve the marina to meet the needs of marina customers as the recreational use of Lake Lanier increases. The primary advantage of this alternative would be the lack of disturbance to the environment that will occur from construction within the lease area. Disadvantages of this alternative are that the demand to meet the needs of marina customers would remain unsatisfied and the condition of the marina would likely deteriorate. This unmet demand could result in the construction of a new marina at another location, with more significant impacts to the environment.

b. Alternative Plan:

Alternatives to the existing Proposed Master Plan were considered, but ultimately rejected.

An alternative to replacing several old docks, which is proposed in the Proposed Master Plan, is to re-build the existing aged structures. However, for the docks or sections that replacement is proposed (11, 6, 1, 2, and A), the cost to bring these docks/sections up to modern standards would exceed the cost of a new dock. Replacing the docks has further benefits, including GFCI compliant power systems, galvanized versus painted construction (longer life, no rust), encapsulated floatation, and composite decking (safety, no splinters, no rot, less maintenance, recycled plastic product). Based on this information, this alternative was rejected.

11. REVIEW AND COORDINATION.

During preparation and review of this draft EA, review requests will be sent to the Georgia Department of Natural Resources, Georgia Historic Preservation Division (SHPO), and the U.S. Fish and Wildlife Service and other interested State and Federal Agencies to allow for comment on the proposed action. Coordination with the Georgia Historic Preservation Division will be conducted as part of this EA. The results of the coordination will be outlined in Appendix F of the final EA. A copy of the final EA will be posted on the USACE Mobile website for public review. Any public comments will be documented in **Appendix G** and will be properly addressed.

12. REFERENCES.

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- c. https://georgiawildlife.com/sites/default/files/wrd/pdf/fact-sheets/amber_darter_2016.pdf
- d. https://georgiawildlife.com/sites/default/files/wrd/pdf/fact-sheets/cherokee_darter_2016.pdf
- e. https://georgiawildlife.com/sites/default/files/wrd/pdf/fact-sheets/etowah_darter_2016.pdf
- f. https://georgiawildlife.com/sites/default/files/wrd/pdf/fact-sheets/smooth_purple_coneflower_2016.pdf
- g. https://georgiawildlife.com/sites/default/files/wrd/pdf/fact-sheets/swamp_pink_2010.pdf
- h. https://georgiawildlife.com/sites/default/files/wrd/pdf/fact-sheets/small_whorled_pogonia_2010.pdf
- i. https://georgiawildlife.com/sites/default/files/wrd/pdf/fact-sheets/monkeyface_orchid_2016.pdf
- j. https://georgiawildlife.com/sites/default/files/wrd/pdf/fact-sheets/dwarf_sumac_2016.pdf
- k. https://georgiawildlife.com/sites/default/files/wrd/pdf/fact-sheets/florida_torreya_2010.pdf

U.S. Department of Agriculture, Soil Conservation Service, online Soil Survey of Forsyth County, Georgia.

U.S. Department of the Interior, U.S. Fish and Wildlife Service, National Wetland Inventory Map, On-Line Wetlands Mapper.

U.S. Environmental Protection Agency, On-Line Environmental Justice Screen Mapper

U.S. Geological Survey, 7.5-Minute Series Quadrangle Map, Chestatee, Georgia, 2017.

U.S. Geological Survey, 7.5-Minute Series Quadrangle Map, Flowery Branch, Georgia, 2017.

Environmental Laboratory. Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, MS, 1987.

LakeLanier.com, Historic Water Level Data (<https://lakelanier.com/historical-water-level-data/>), accessed September 30, 2019.

13. APPENDICES - SUPPORTING DOCUMENTS.

- A. Maps and Figures
 - 1. Figure 1: Lake Recreation Map
 - 2. Figure 2: Site Location/Street Map
 - 3. Figure 3: USGS Topographic Map
 - 4. Figure 4: National Wetland Inventory Map
 - 5. Figure 5: Soil Survey Map
 - 6. Figure 6: Floodplain Map
- B. Existing and Proposed Master Plans
 - 1. Existing (Approved) Master Site Plan
 - 2. Port Royale Marina, Proposed Master Plan, dated September 30, 2020
- C. Site Photographs
- D. Protected Species Information
 - 1. USFWS IPAC Report
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- E. Cultural Resources Information
 - 1. Cultural Resources Literature Review
 - 2. Inadvertent Discoveries Plan for Cultural Resources
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 - 1. Boatwash Sublease Approval
 - 2. Boatwash Permit Application
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 - 1. Agency Consultation (Pending)
 - 2. Public Comments (Pending)

Appendix A – Maps and Figures

Figure 1: Lake Recreation Map

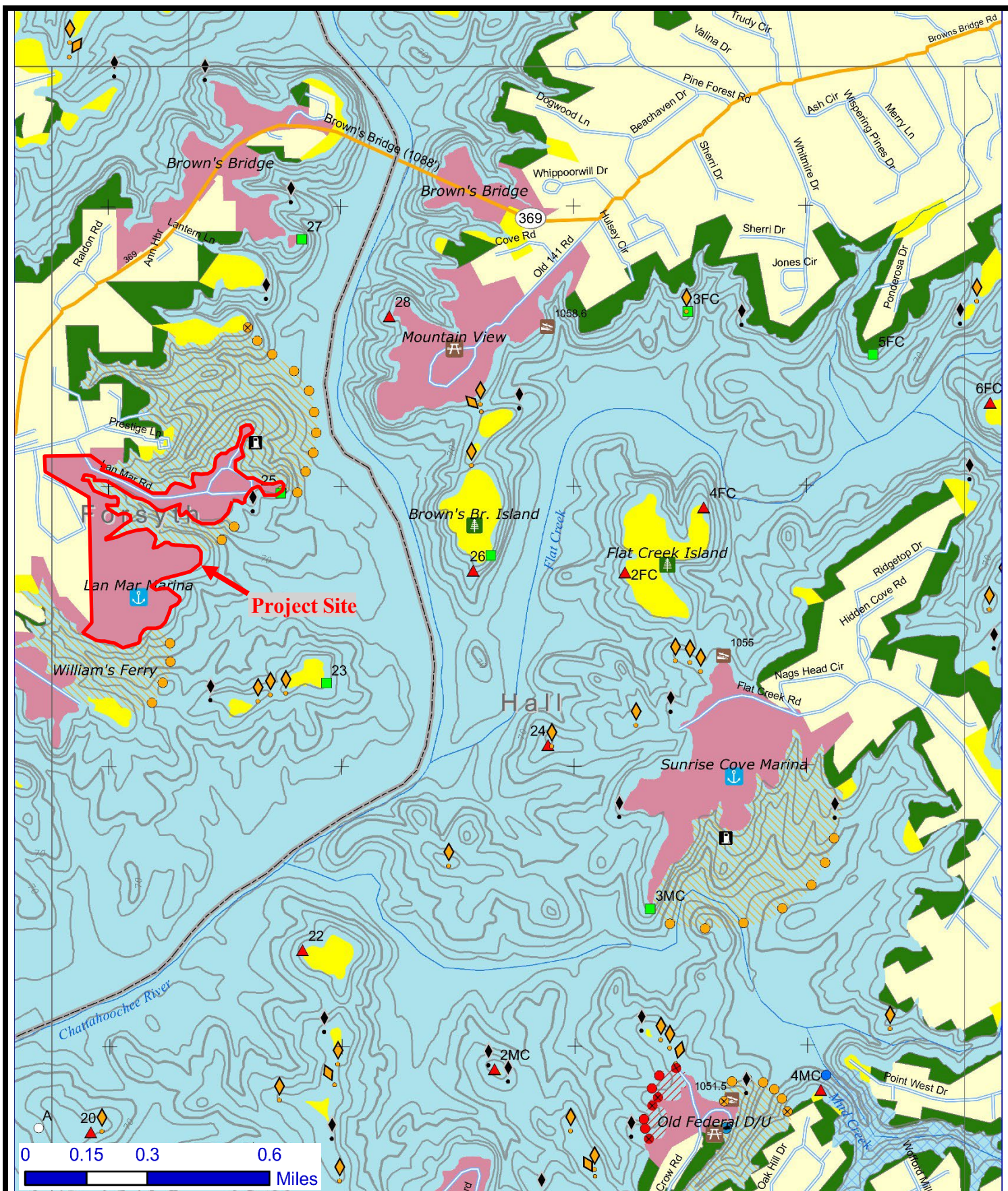
Figure 2: Site Location/Street Map

Figure 3: USGS Topographic Map

Figure 4: National Wetland Inventory Map

Figure 5: Soil Survey Map

Figure 6: Floodplain Map



UNITED
CONSULTING



Prepared:

GAB

Checked:

DPH

Date:

9/19/19

Scale:

See Above

Title:

Lake Recreation Map

Project:

Port Royale Marina

Project No:

TEIIN-19-GA-03671-01

Client:

TEI Industries

FIG. 1



1,000 feet

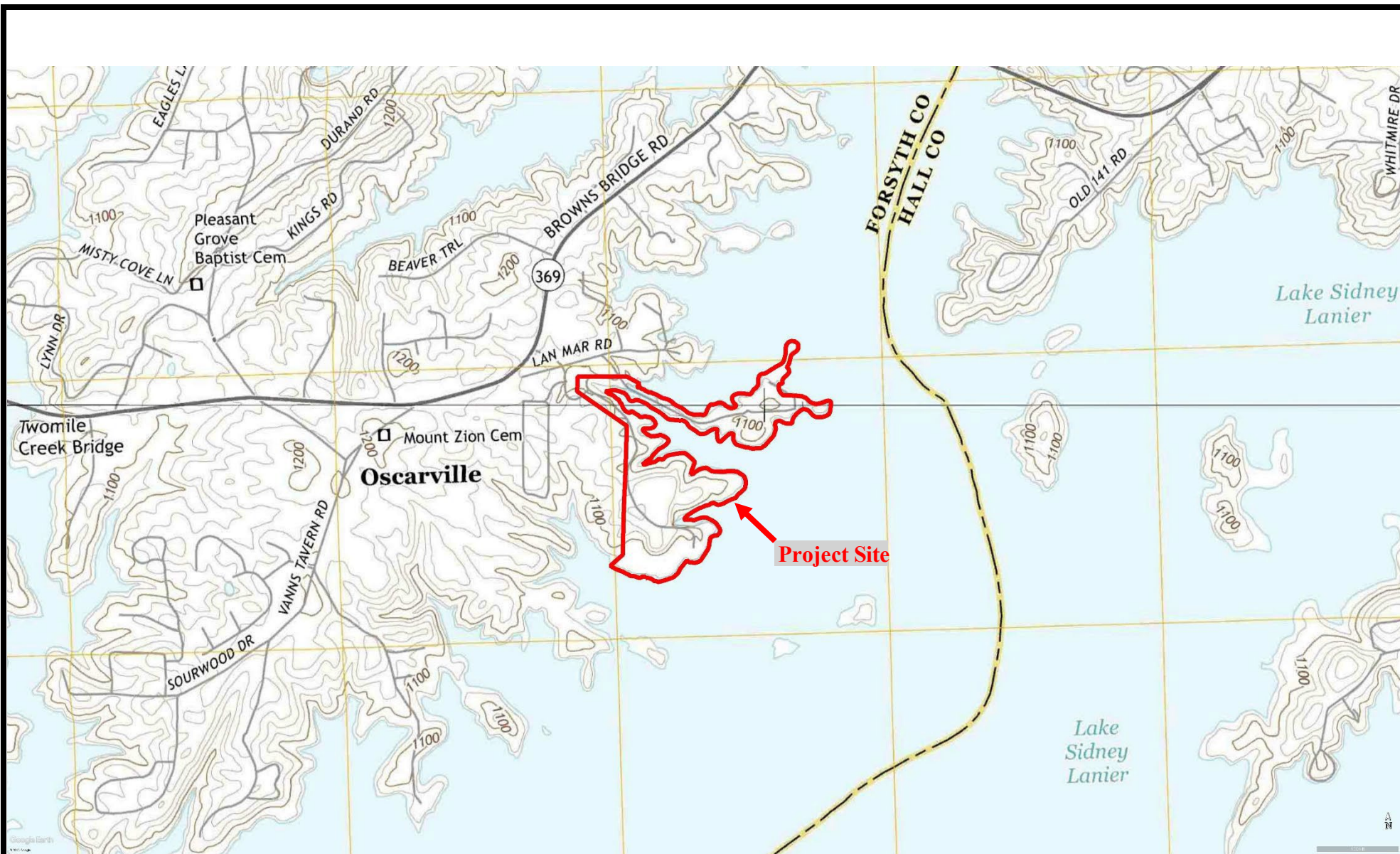


UNITED
CONSULTING



| | | | |
|----------|-----------|------------|----------------------|
| Prepared | GAB | Title | Site Location Map |
| Checked | DPH | Project | Port Royale Marina |
| Date | 9/19/19 | Project No | TEIIN-19-GA-03671-01 |
| Scale | See Above | Client | TEI Industries |

FIG. 2



1,000 feet

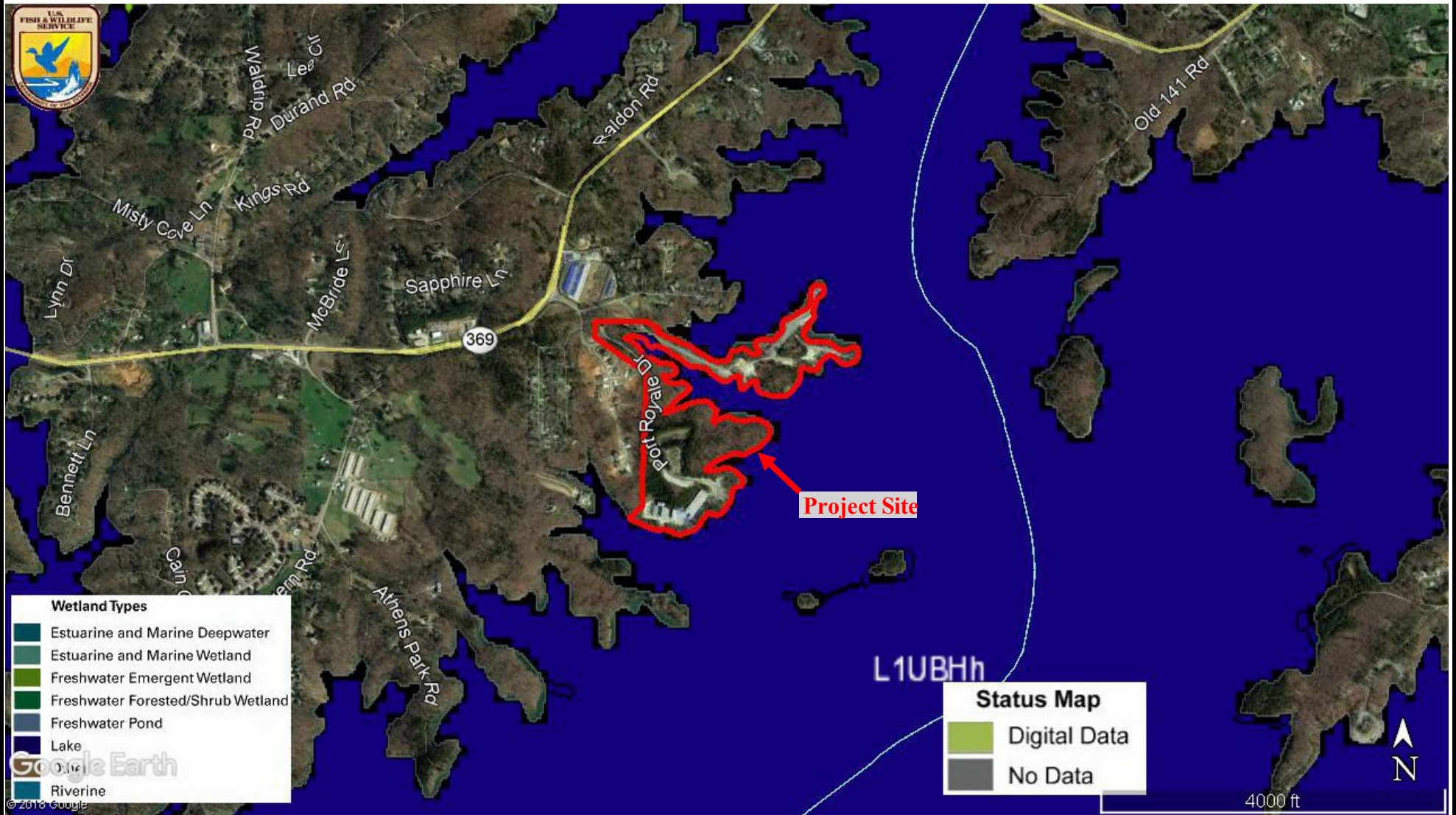


UNITED
CONSULTING



| | | | |
|----------|-----------|------------|----------------------|
| Prepared | GAB | Title | USGS Topographic Map |
| Checked | DPH | Project | Port Royale Marina |
| Date | 9/19/19 | Project No | TEIIN-19-GA-03671-01 |
| Scale | See Above | Client | TEI Industries |

FIG. 3



UNITED
CONSULTING



| | | | |
|-----------------|-----------|-------------------|-----------------------------|
| Prepared | GAB | Title | USFWS Wetland Inventory Map |
| Checked | DPH | Project | Port Royale Marina |
| Date | 9/19/19 | Project No | TEIIN-19-GA-03671-01 |
| Scale | See Above | Client | TEI Industries |

FIG. 4



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Prepared

GAB

Checked

DPH

Date

9/19/19

Scale

See Above

Title

FEMA Floodplain Map

Project

Port Royale Marina

Project No

TEIIN-19-GA-03671-01

Client

TEI Industries

FIG. 6

Appendix B – Existing and Proposed Master Plans

1. Existing (Approved) Master Site Plan
2. Port Royale Marina, Proposed Master Plan, dated September 30, 2020




LEGEND

--- 7 EXISTING

APPROVED

PROPOSED
LIGHTER SHADING
DRAWING CLARITY



CHAPMAN
COYLE
CHAPMA
ARCHITECTS

PORT ROYALE MARINA

MASTER PLAN



Appendix C – Site Photographs

Photographic Record



Photo 1: Entrance road and sign for the marina and adjacent community.



Photo 2: Marina access and guard house.



Photo 3: Dry stack buildings and marina shop.



Photo 4: Marina office and store.

Photographic Record



Photo 5: View of existing gas dock, restaurant and amenity area.



Photo 6: Existing gas dock.



Photo 7: Gas dock and existing wave break.



Photo 8: Existing gravel lot, location of proposed paved parking lot and additional dry storage (new).

Photographic Record



Photo 9: Area for proposed additional parking (new – 24 spaces).



Photo 10: Wooded area, location of proposed parking area (new – 96 spaces).



Photo 11: Existing grassed parking area, location of proposed parking lot (previously approved).



Photo 12: Existing dirt/gravel path, location of proposed paved drive (new).

Photographic Record



Photo 13: Wooded area, location of proposed cottages (previously approved).



Photo 14: Wooded area, location of proposed conference center/lodge and parking area (previously approved and new).



Photo 15: Existing gravel lot, proposed paved lot (new).



Photo 16: Another example of wooded area on the site.

Appendix D – Protected Species Information

1. USFWS IPAC Report
2. GDNR Occurrence Records (HUC 0313001)

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Forsyth County, Georgia



Local office

Georgia Ecological Services Field Office

- ☐ (706) 613-9493
- ☐ (706) 613-6059

355 East Hancock Avenue
Room 320
Athens, GA 30601

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME

STATUS

Northern Long-eared Bat *Myotis septentrionalis*
No critical habitat has been designated for this species.
<https://ecos.fws.gov/ecp/species/9045>

Threatened

Fishes

| NAME | STATUS |
|---|------------|
| Amber Darter <i>Percina antesella</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/53 | Endangered |
| Cherokee Darter <i>Etheostoma scotti</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2553 | Threatened |
| Etowah Darter <i>Etheostoma etowahae</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/4123 | Endangered |

Flowering Plants

| NAME | STATUS |
|---|------------|
| White Fringeless Orchid <i>Platanthera integrilabia</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1889 | Threatened |

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.

2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

MIGRATORY BIRD INFORMATION IS NOT AVAILABLE AT THIS TIME

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to

confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

The area of this project is too large for IPaC to load all NWI wetlands in the area. The list below may be incomplete. Please contact the local U.S. Fish and Wildlife Service office or visit the [NWI map](#) for a full list.

FRESHWATER EMERGENT WETLAND

[PEM1C](#)

[PEM1A](#)

[PEM1Ch](#)

[PEM1Ad](#)
[PEM1Ah](#)
[PEM1F](#)
[PEM1Fh](#)
[PEM1Fb](#)
[PEM1Cd](#)

FRESHWATER FORESTED/SHRUB WETLAND

[PFO1A](#)
[PSS1A](#)
[PSS1Ad](#)
[PSS1C](#)
[PFO1C](#)
[PFO1/4A](#)
[PFO1Ad](#)
[PSS1Ch](#)
[PFO1Cd](#)
[PSS1F](#)
[PFO1Ah](#)
[PSS1Cd](#)
[PFO1Fb](#)
[PFO1Fd](#)
[PSS1Ah](#)
[PSS4/1A](#)
[PSS1Fd](#)
[PFO1F](#)
[PFO1Fh](#)
[PFO4A](#)
[PSS4A](#)
[PFO1Ch](#)
[PSS1Fb](#)
[PSS1/4A](#)
[PSS1Fh](#)
[PSS1Cx](#)
[PSS3Ch](#)
[PFO1Cb](#)
[PSS3C](#)
[PSS1/4Ad](#)
[PSS1B](#)
[PSS1Cb](#)

FRESHWATER POND

[PUBHh](#)
[PUBHx](#)
[PAB3F](#)
[PUBH](#)
[PUBFb](#)
[PUSCh](#)

LAKE

[L1UBHh](#)

[L2USAh](#)

[L2USCh](#)

RIVERINE

[R2UBH](#)

[R3UBH](#)

[R4SBC](#)

[R5UBH](#)

[R2UBHx](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.



Chattahoochee River, Upper HUC8 Watershed

All Tracked Natural Elements With or Without Protection Status

122 element records in list

ANIMALS

- Ammodramus henslowii*** (Henslow's Sparrow), Rank: G4/S2, GA: R, US: none, SWAP: Yes, EOs: 10, Habitat: Grassy areas, especially wet grasslands, pitcher plant bogs, pine flatwoods, power line corridors in CP. Requires open veg at ground level with grass canopy above [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Bombus affinis*** (Rusty-patched bumblebee), Rank: G1/SH, GA: none, US: none, SWAP: Yes, EOs: 2, Habitat: historically found in northern mountains [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Callopymys iurus*** (Frosted Elfin), Rank: G3/S2S4, GA: none, US: none, SWAP: Yes, EOs: 6, Habitat: Georgia habitat information not available [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Cambarus howardii*** (Chattahoochee Crayfish), Rank: G3Q/S2, GA: T, US: none, SWAP: Yes, EOs: 1, Habitat: riffle areas of streams; in rocks with swift-flowing water [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Cyclonaias sinuata*** (Sculptured Pigtoe), Rank: G3/S3, GA: none, US: none, SWAP: No, EOs: 59, Habitat: Large rivers to small creeks [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Cyprinella callitrema*** (Bluestripe Shiner), Rank: G2G3/S2, GA: R, US: none, SWAP: Yes, EOs: 52, Habitat: Flowing areas in large creeks and medium-sized rivers over rocky substrates [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Desmognathus aeneus*** (Seepage Salamander), Rank: G3G4/S3, GA: none, US: none, SWAP: No, EOs: 49, Habitat: Seepage areas within hardwood forested ravines [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Desmognathus folkertsi*** (Dwarf Black-bellied Salamander), Rank: G2/S2, GA: none, US: none, SWAP: No, EOs: 16, Habitat: Rocky streams and seeps in montane hardwood forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Desmognathus marmoratus*** (Shovel-nosed Salamander), Rank: G4/S3, GA: none, US: none, SWAP: No, EOs: 20, Habitat: Mountain streams [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Elliptio arcata*** (Delicate Spike), Rank: G2G3Q/S2, GA: E, US: none, SWAP: Yes, EOs: 66, Habitat: Creeks and rivers with moderate current; mainly in crevices and under large rocks in silt deposits [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Falco peregrinus*** (Peregrine Falcon), Rank: G4/S1, GA: R, US: none, SWAP: Yes, EOs: 3, Habitat: Rocky cliffs and ledges; seacoasts-migration; skyscrapers [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Haliaeetus leucocephalus*** (Bald Eagle), Rank: G5/S3, GA: T, US: none, SWAP: Yes, EOs: 267, Habitat: Edges of lakes and large rivers; seacoasts [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Hamiota subangulata*** (Shinyrayed Pocketbook), Rank: G2/S2, GA: E, US: LE, SWAP: Yes, EOs: 46, Habitat: Medium sized creeks to large rivers in sand substrates in slow to swift flowing water [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Hemidactylium scutatum*** (Four-toed Salamander), Rank: G5/S3, GA: none, US: none, SWAP: No, EOs: 27, Habitat: Swamps; boggy streams and ponds; hardwood forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Lampropeltis holbrooki*** (Mole Kingsnake), Rank: G5/SNR, GA: none, US: none, SWAP: No, EOs: 55, Habitat: Georgia habitat information not available [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Lampropeltis triangulum*** (Eastern Milk Snake), Rank: G5/S2, GA: none, US: none, SWAP: No, EOs: 24, Habitat: Open woods; fields; forests; rock outcrops [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Micropterus cataractae*** (Shoal Bass), Rank: G3/S2, GA: none, US: none, SWAP: Yes, EOs: 72, Habitat: Large river, shoal and fluvial specialist [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Micropterus chattahoocheae*** (Chattahoochee Bass), Rank: GNR/S2?, GA: none, US: none, SWAP: Yes, EOs: 82, Habitat: flowing sections of streams and rivers, including river shoals [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Moxostoma sp. 1*** (Apalachicola Redhorse), Rank: G3/S3, GA: none, US: none, SWAP: No, EOs: 32, Habitat: Pools, runs, and riffles (shoals) of large rivers and their tributaries [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)
- Myotis leibii*** (Eastern Small-footed Myotis), Rank: G4/S2, GA: none, US: none, SWAP: Yes, EOs: 25, Habitat: Caves; mines; abandoned buildings, bridges, rock shelters in Mtn. areas; high elevation talus fields [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Myotis lucifugus (Little Brown Myotis), Rank: G3/S1, GA: none, US: none, SWAP: Yes, EOs: 23, Habitat: Caves and Mines; mixed forests, structures, bat houses [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Myotis septentrionalis (Northern Myotis), Rank: G1G2/S1, GA: T, US: LT, SWAP: Yes, EOs: 66, Habitat: Caves and mines in winter; riparian areas, upland forests, cracks and crevices in dead and live trees in summer [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Neotoma floridana haematoreia (Southern Appalachian Woodrat), Rank: G5T4Q/S3, GA: none, US: none, SWAP: No, EOs: 14, Habitat: High-elevation forests; rock ledges [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Nicrophorus americanus (American Burying Beetle), Rank: G2G3/SU, GA: none, US: none, SWAP: No, EOs: 1, Habitat: Natural habitat may be mature forests but also found in grasslands and old fields [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Notropis hyssipilis (Highscale Shiner), Rank: G3/S3, GA: R, US: none, SWAP: Yes, EOs: 80, Habitat: Flowing areas of small to large streams over sand or bedrock substrates [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Nyctanassa violacea (Yellow-crowned Night-heron), Rank: G5/S3S4, GA: none, US: none, SWAP: No, EOs: 21, Habitat: River swamps; marshes; cypress/gum ponds [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Ophiogomphus edmundi (Edmund's Snaketail), Rank: G1G2/S1, GA: E, US: none, SWAP: Yes, EOs: 3, Habitat: Clear, moderately flowing streams and rivers with riffles. [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Ophiogomphus unicoloratus (Appalachian Snaketail), Rank: G3/S2, GA: none, US: none, SWAP: Yes, EOs: 12, Habitat: Small to medium spring-fed streams with mud and gravel bottoms. [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Percina crypta (Halloween Darter), Rank: G2/S2, GA: T, US: none, SWAP: Yes, EOs: 17, Habitat: Larger streams in riffle/shoal habitat [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Perimyotis subflavus (Tri-colored Bat), Rank: G2G3/S2, GA: none, US: none, SWAP: Yes, EOs: 164, Habitat: Open forests with large trees and woodland edges; roost in tree foliage; hibernate in caves or mines with high humidity [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Pituophis melanoleucus melanoleucus (Northern Pine Snake), Rank: G4T4/S2, GA: none, US: none, SWAP: Yes, EOs: 29, Habitat: Dry pine or pine-hardwood forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Sorex cinereus (Masked Shrew), Rank: G5/S2S3, GA: none, US: none, SWAP: No, EOs: 17, Habitat: High-elevation mesic forests; field edges; swamps; mountain bogs [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Sorex hoyi (Pygmy Shrew), Rank: G5/S2, GA: none, US: none, SWAP: No, EOs: 45, Habitat: Mountain bogs; grassy openings in high elevation forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Speyeria diama (Diana Fritillary), Rank: G3G4/S3, GA: none, US: none, SWAP: Yes, EOs: 10, Habitat: Hardwood forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Spilogale putorius (Eastern Spotted Skunk), Rank: G4/S3, GA: none, US: none, SWAP: Yes, EOs: 13, Habitat: Brushy, rocky, wooded habitats; avoids wetlands [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Tamiasciurus hudsonicus (Red Squirrel), Rank: G5/S3, GA: none, US: none, SWAP: Yes, EOs: 20, Habitat: High-elevation pine or mixed hardwood forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Tyto alba (Barn owl), Rank: G5/SU, GA: none, US: none, SWAP: Yes, EOs: 32, Habitat: Nests in large hollow trees or old buildings (particularly cement silos) in areas with extensive pasture or grassland or other open habitats such as marsh [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

NATURAL COMMUNITIES

Bare rock/lichens, limestone calcareous outcrop (Noncalcareous Outcrop Rock/lichens), Rank: GNR/SNR, GA: none, US: none, SWAP: To be determined, EOs: 6 [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Brushy bald (Shrub Bald, Heath Bald), Rank: GNR/SNR, GA: none, US: none, SWAP: To be determined, EOs: 6 [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Carya (glabra, tomentosa) - Fraxinus americana - (Juniperus virginiana var. virginiana) Woodland (Montane Cedar - Hardwood Woodland), Rank: G2/SNR, GA: none, US: none, SWAP: To be determined, EOs: 8 [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Herbaceous veg., limestone calcareous outcrop (Noncalcareous Outcrop Herb Community), Rank: GNR/SNR, GA: none, US: none, SWAP: To be determined, EOs: 9 [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Kalmia latifolia - Rhododendron catawbiense - (Gaylussacia baccata, Pteris floribunda, Vaccinium corymbosum) Shrubland (Southern Appalachian Mountain Laurel Bald), Rank: G2G3/SNR, GA: none, US: none, SWAP: To be determined, EOs: 3 [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Piedmesic broadleaf decid forest (Piedmont Mesic Hardwood Forest), Rank: GNR/SNR, GA: none, US: none, SWAP: To be determined, EOs: 1 [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Pinus pungens - Pinus rigida (Quercus prinus) / Kalmia latifolia - Vaccinium pallidum Woodland (Blue Ridge Table Mountain Pine - Pitch Pine Woodland (Typic Type)), Rank: G3/SNR, GA: none, US: none, SWAP: To be determined, EOs: 3 [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Quercus rubra / Rhododendron catawbiense - Rhododendron arborescens Woodland (Southern Blue Ridge Granite Dome Heath Bald Oak Woodland), Rank: G2/SNR, GA: none, US: none, SWAP: To be determined, EOs: 2 [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Shrub/scrub veg., br noncalcareous outcrop (Noncalcareous Outcrop Shrub/scrub Community), Rank:

GNR/SNR, GA: none, US: none, SWAP: To be determined, EOs: 6

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

PLANTS

Acer spicatum (Mountain Maple), Rank: G5/S2, GA: none, US: none, SWAP: No, EOs: 10, Habitat: High elevation boulder fields [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Agrimonia gryposepala (Hooked Harvest-lice), Rank: G5/S2?, GA: none, US: none, SWAP: No, EOs: 5, Habitat: Rich, circumneutral woodlands [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Amelanchier sanguinea (Roundleaf Serviceberry), Rank: G5/S1?, GA: none, US: none, SWAP: Yes, EOs: 5, Habitat: Rocky slopes [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Amorpha nitens (Shining Indigo-bush), Rank: G3?/S1?, GA: none, US: none, SWAP: Yes, EOs: 22, Habitat: Rocky, wooded slopes; alluvial woods [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Amorpha schweini (Schwerin's Indigo-bush), Rank: G3G4/S2, GA: none, US: none, SWAP: Yes, EOs: 8, Habitat: Rocky upland woods [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Aralia nudicaulis (Wild Sarsaparilla), Rank: G5/S2?, GA: none, US: none, SWAP: No, EOs: 17, Habitat: Northern hardwood forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Asplenium bradleyi (Bradley's Spleenwort), Rank: G4/S2, GA: none, US: none, SWAP: No, EOs: 10, Habitat: Sandstone, quartzite, rarely granite crevices [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Calamagrostis porterii (Porter's Reed-grass), Rank: G4/S1, GA: R, US: none, SWAP: No, EOs: 7, Habitat: Base of north-facing, granitic cliffs [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Calycanthus brockiana (Brock Sweetshrub), Rank: G1?Q/SU, GA: none, US: none, SWAP: No, EOs: 1, Habitat: Mesic hardwood forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Calystegia catesbeiana ssp. *sericata* (Silky Bindweed), Rank: G3T3Q/S2S3, GA: none, US: none, SWAP: No, EOs: 28, Habitat: Sandy montane openings [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Capnoides sempervirens (Pale Corydalis), Rank: G5/S2, GA: none, US: none, SWAP: No, EOs: 10, Habitat: Montane ledges, rocky summits [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Carex appalachiana (Appalachian Sedge), Rank: G4/S1?, GA: none, US: none, SWAP: No, EOs: 6, Habitat: Dry to moist, rocky, open woods and heath balds [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Carex biltmoreana (Granite Dome Sedge), Rank: G3/S1, GA: T, US: none, SWAP: Yes, EOs: 1, Habitat: High elevation ledges and rock faces [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Carex manhartii (Manhart's Sedge), Rank: G3G4/S2S3, GA: none, US: none, SWAP: No, EOs: 53, Habitat: Cove hardwood forests; other mesic deciduous forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Carex scabrata (Rough Sedge), Rank: G5/S3, GA: none, US: none, SWAP: No, EOs: 42, Habitat: High elevation boulder fields; mountain bogs, seeps. [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Carex torta (Twisted Sedge), Rank: G5/S1?, GA: none, US: none, SWAP: No, EOs: 7, Habitat: Rocky streambeds [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Castilleja coccinea (Scarlet Indian Paintbrush), Rank: G5/S1?, GA: none, US: none, SWAP: No, EOs: 9, Habitat: Moist rock ledges; fens [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Chelone cuthbertii (Cuthbert's Turtlehead), Rank: G3/S1, GA: T, US: none, SWAP: Yes, EOs: 5, Habitat: Bogs and wet meadows [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Comptonia peregrina (Sweet-fern), Rank: G5/S1, GA: none, US: none, SWAP: No, EOs: 4, Habitat: Disturbed areas and open upland forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Convallaria pseudomajalis (American Lily-of-the-valley), Rank: G4?/S2, GA: R, US: none, SWAP: No, EOs: 13, Habitat: Rocky, montane oak forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Coreopsis latifolia (Broadleaf Tickseed), Rank: G3/S1, GA: R, US: none, SWAP: No, EOs: 12, Habitat: Mature deciduous forests with open understory [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Cypripedium acaule (Pink Ladyslipper), Rank: G5/S4, GA: U, US: none, SWAP: No, EOs: 201, Habitat: Upland oak-hickory-pine forests; piney woods [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Cypripedium parviflorum (Yellow Ladyslipper), Rank: G5/S3, GA: R, US: none, SWAP: No, EOs: 83, Habitat: Montane cove forests; rich deciduous forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Echinacea laevigata (Smooth Purple Coneflower), Rank: G2G3/S2, GA: E, US: LE, SWAP: Yes, EOs: 33, Habitat: Upland forests over amphibolite [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Eutrochium maculatum (Spotted Joe-pye-weed), Rank: G5/S2?, GA: none, US: none, SWAP: No, EOs: 1, Habitat: Mountain meadow glades [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Fothergilla major (Large Witch-alder), Rank: G3/S1, GA: T, US: none, SWAP: Yes, EOs: 6, Habitat: Rocky (sandstone, granite) woods; bouldery stream margins [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Frullania appalachiana (Appalachian Frullania), Rank: G2?/S2?, GA: none, US: none, SWAP: Yes, EOs: 4, Habitat: On tree trunks and decaying wood above 3800 ft. [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Helianthus glaucophyllus (Whiteleaf Sunflower), Rank: G3G4/S1, GA: none, US: none, SWAP: Yes, EOs: 4, Habitat: Open, oak-hickory woods above 2500 ft. [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Helonias bullata (Swamp-Pink), Rank: G3/S1, GA: T, US: LT, SWAP: Yes, EOs: 5, Habitat: Open swamps

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Herpetiurus contortuosae (A Moss), Rank: G4G5/S1?, GA: none, US: none, SWAP: No, EOs: 1, Habitat: Appalachian Trail (1999), on rock in mesophytic forests.

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Hydrastis canadensis (Goldenseal), Rank: G3G4/S2, GA: E, US: none, SWAP: Yes, EOs: 19, Habitat: Rich woods in circumneutral soil

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Hypericum buckleii (Blue Ridge St. Johnswort), Rank: G3/S1, GA: none, US: none, SWAP: No, EOs: 7, Habitat: High elevation rocky crevices

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Hypnum cupressiforme var. *filiforme* (A Moss), Rank: G5TNR/S2?, GA: none, US: none, SWAP: Yes, EOs: 1, Habitat: Hanging as green threads from rocks or bark, perhaps above 3800 ft.

[PROFILE](#) [RANGE MAP](#)

[EXPLORER](#)

Isoetes valida (Mountain Bog Quillwort), Rank: G4?/S2?, GA: none, US: none, SWAP: No, EOs: 3, Habitat: Mountain bogs

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Isoetes medeoloides (Small Whorled Pogonia), Rank: G2?/S2, GA: T, US: LT, SWAP: Yes, EOs: 25, Habitat: Mixed hardwood-pine forests with open understory; history of nearby heavy logging, homesite or road clearing activity

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Juglans cinerea (Butternut), Rank: G4/S2, GA: none, US: none, SWAP: Yes, EOs: 14, Habitat: Openings in bottomland forests and in the mesophytic hardwood forests of rich mountain coves

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Juncus gymnocarpus (Naked-fruit Rush), Rank: G4/S2S3, GA: none, US: none, SWAP: No, EOs: 33, Habitat: Seepy streambanks; open swamps; mountain bogs

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Lonicera dioica (Limber Honeysuckle), Rank: G5/S1, GA: none, US: none, SWAP: No, EOs: 4, Habitat: Mesic, deciduous hardwood forest openings above 3000 ft.

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Lygodium palmatum (Climbing Fern), Rank: G4/S2, GA: none, US: none, SWAP: No, EOs: 16, Habitat: Acid soils of thickets and open upland forests

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Menziesia pilosa (Minniebush), Rank: G4G5/S1, GA: none, US: none, SWAP: No, EOs: 6, Habitat: Rocky ridgetops

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Monotropsis odorata (Sweet Pinesap), Rank: G3/S1, GA: T, US: none, SWAP: Yes, EOs: 13, Habitat: Upland forests

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Nestronia umbellula (Indian Olive), Rank: G4/S3, GA: R, US: none, SWAP: Yes, EOs: 55, Habitat: Mixed with dwarf shrubby heaths in oak-hickory-pine woods; often in transition areas between flatwoods and uplands

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Panax quinquefolius (American Ginseng), Rank: G3G4/S3, GA: none, US: none, SWAP: Yes, EOs: 41, Habitat: Mesic hardwood forests; cove hardwood forests

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Panax trifolius (Dwarf Ginseng), Rank: G5/S1, GA: none, US: none, SWAP: Yes, EOs: 6, Habitat: Mesic hardwood-coniferous forests

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Paronychia argyrocoma (Silverling), Rank: G4/S1, GA: none, US: none, SWAP: No, EOs: 4, Habitat: Sandstone and granite outcrops

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Penstemon pallidus (Eastern White Beardtongue), Rank: G5/S1?, GA: none, US: none, SWAP: No, EOs: 4, Habitat: Limestone and shale barrens

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Penstemon smallii (Small's Beardtongue), Rank: G3/S1?, GA: none, US: none, SWAP: No, EOs: 6, Habitat: Open woods on rocky slopes and bluffs in circumneutral soil

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Platanthera integrilabia (Monkeyface Orchid), Rank: G2G3/S1S2, GA: T, US: LT, SWAP: Yes, EOs: 2, Habitat: Red maple-gum swamps; peaty seeps and streambanks with *Parnassia asarifolia* and *Oxypolis rigidior*

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Platanthera psycodes (Small Purple-fringed Orchid), Rank: G5/S1?, GA: none, US: none, SWAP: No, EOs: 5, Habitat: Wet thickets; seepy, open, northern hardwood forests

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Polygala senega (Seneca Snakeroot), Rank: G4G5/S2?, GA: none, US: none, SWAP: No, EOs: 4, Habitat: Georgia habitat information not available

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Prunus virginiana (Chokecherry), Rank: G5/S1, GA: none, US: none, SWAP: No, EOs: 8, Habitat: Boulder fields in northern hardwood forests

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Pycnanthemum beadleii (Beadle's Mountain-mint), Rank: G2G4/S2?, GA: none, US: none, SWAP: No, EOs: 2, Habitat: Rocky open woods; edges of rock outcrops

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Rhus microauxii (Dwarf Sumac), Rank: G2G3/S1, GA: E, US: LE, SWAP: Yes, EOs: 7, Habitat: Open forests over ultramafic rock

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Rhus typhina (Staghorn Sumac), Rank: G5/S1, GA: none, US: none, SWAP: No, EOs: 9, Habitat: Open montane forests

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Samacenia purpurea var. *montana* (Mountain Purple Pitcherplant), Rank: G5T1T3/S1, GA: E, US: none, SWAP: Yes, EOs: 9, Habitat: Mountain bogs

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Schisandra glabra (Bay Star-vine), Rank: G3/S2, GA: T, US: none, SWAP: Yes, EOs: 71, Habitat: Rich woods on stream terraces and lower slopes

[PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Scirpus expansus (Woodland Bulrush), Rank: G4/S2?, GA: none, US: none, SWAP: No, EOS: 3, Habitat: Marshes, streambeds, peaty floating islands [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Sibbaldia tridentata (Three-toothed Cinquefoil), Rank: G5/S1, GA: E, US: none, SWAP: Yes, EOS: 3, Habitat: Rocky summits [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Silene ovata (Mountain Catchfly), Rank: G3/S1S2, GA: RUSS: none, SWAP: Yes, EOS: 16, Habitat: Mesic deciduous or beech-magnolia forests over limestone; bouldery, high elevation oak forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Sorbus americana (American Mountain-ash), Rank: G5/S1, GA: none, US: none, SWAP: No, EOS: 5, Habitat: Grassy balds; northern hardwood forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Spirea latifolia (Broadleaf White Spirea), Rank: G5T5/S1, GA: none, US: none, SWAP: Yes, EOS: 4, Habitat: Mountain bogs; roadside seeps [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Stachys latidens (Broad-toothed Hedge-nettle), Rank: G4G5/S2?, GA: none, US: none, SWAP: No, EOS: 8, Habitat: Cove hardwoods and mesic forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Symphotrichum georgianum (Georgia Aster), Rank: G3/S3, GA: T, US: none, SWAP: Yes, EOS: 130, Habitat: Upland oak-hickory-pine forests and openings; sometimes with Echinacea laevigata or over amphibolite [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Symphotrichum novi-belgii var. *elodes* (Seashore New York Aster), Rank: G5TNR/SH, GA: none, US: none, SWAP: No, EOS: 1, Habitat: Georgia habitat information not available [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Symphotrichum phlogifolium (Phlox-leaved Aster), Rank: G5/S1, GA: none, US: none, SWAP: No, EOS: 8, Habitat: Mesic hardwood forests over basic soil [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Thermopsis alexandrina (Ash-leaf Bush-pea), Rank: G3?/S2?, GA: none, US: none, SWAP: Yes, EOS: 5, Habitat: Oak and oak-pine ridge forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Torreya taxifolia (Florida Torreya), Rank: G1/S1, GA: E, US: none, SWAP: Yes, EOS: 6, Habitat: Rich ravines in extreme Southwest Georgia [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Trientalis borealis (Starflower), Rank: G5/S1S2, GA: E, US: none, SWAP: No, EOS: 10, Habitat: Rocky, northern hardwood forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Trillium simile (Sweet White Trillium), Rank: G3/S2, GA: none, US: none, SWAP: No, EOS: 5, Habitat: Cove hardwoods, sometimes with Rhododendron maximum [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Triosteum canadense (Wild Coffee), Rank: G5/S2?, GA: none, US: none, SWAP: No, EOS: 14, Habitat: Open woodlands over circumneutral or calcareous soils [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Vaccinium erythrocarpum (Bearberry), Rank: G5/S1, GA: none, US: none, SWAP: No, EOS: 4, Habitat: Mixed oak-heath forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Veratrum hybridum (Broadleaf Bunchflower), Rank: G5/S2?, GA: none, US: none, SWAP: No, EOS: 54, Habitat: Mesic deciduous hardwood forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Veratrum viride (American False Hellebore), Rank: G5/S2, GA: none, US: none, SWAP: No, EOS: 12, Habitat: Seepy northern hardwood forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Veratrum woodii (Ozark Bunchflower), Rank: G5/S2, GA: R, US: none, SWAP: Yes, EOS: 29, Habitat: Mesic hardwood forests over basic soils [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Waldsteinia lobata (Piedmont Barren Strawberry), Rank: G3/S2, GA: R, US: none, SWAP: Yes, EOS: 41, Habitat: Stream terraces and adjacent gneiss outcrops [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Xerophyllum asphodeloides (Eastern Turkeybeard), Rank: G4/S1, GA: R, US: none, SWAP: Yes, EOS: 12, Habitat: Xeric oak-pine forests [PROFILE](#) [RANGE MAP](#) [EXPLORER](#)

Appendix E – Cultural Resources Information

1. Cultural Resources Literature Review
2. Inadvertent Discoveries Plan for Cultural Resources

R.S. Webb & Associates

Cultural Resource Management Consultants
 2800 / 10111 Springs Parkway, Suite 200 • P.O. Drawer 13,19
 Holly Springs, Georgia 30142
 Phone: 770-345-0106 • Fax: 770-345-0707

December 8, 2006

Mr. Hen Stone
 United Consulting
 625 Holcomb Bridge Road
 Norcross, Georgia 30071

Subject': Results of Literature Review
Proposed Port Royale Marina, Forsyth County, Georgia
R.S. Webb & Associates No. 06-085-034
United Consulting P.O. No. 59258

Dear Mr. Stone:

BACKGROUND

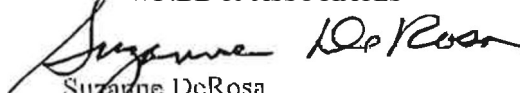
R.S. Webb & Associates (RSWA), a professional cultural resources management firm, conducted a literature review of the proposed Port-Royale Marina in Forsyth County, Georgia, near the boundary of Hall County. This review was conducted at the request of UIC based upon locational information provided by United Consulting. RSWA's literature and records search included the National Register of Historic Places (NRHP), the Forsyth and Hall County historic structures survey files, and the Georgia Archaeological Site File. The results of this assessment are presented below, along with a map of the project area and the location of my previously recorded historic properties and/or archeological sites (Figure 1).

RESULTS

A review of NRHP files and Forsyth and Hall County historic structure survey files and maps, indicate there are no NRI-IP-listed properties within 0.5 mile of the project area. One state-recognized historic structure is within 0.5 mile of the project area (Figure 1; Attachment A). Historic resource FO-00-345 is a residence with an unknown NRHP eligibility status. One archeological site, 9FO196, is located within the project area. (Figure 1; Attachment B). This site contains an unknown prehistoric lithic scatter and is recommended ineligible for the NRI-IP. Two other archeological sites, 9FO15 and 9FO199, are located within 500 feet of the project area (Figure 1; Attachment B). Site 9FOJ 5 is a Middle Archaic/Early Mississippian site artifact scatter, and has an unknown NRHP eligibility status. Site 9FOJ 99 is an unknown prehistoric lithic scatter that is recommended ineligible for the NRHP. Sites 9FO15 and 9FO199 are now beneath Lake Allatoona. State and Federal agencies have requested that R.S. Webb not divulge the locations of archeological sites outside the area of potential effects.

Please contact Steve Webb at 770-345-0706 if you have any questions concerning our findings or if we can assist you in any way. We appreciate the opportunity to work with United Consulting on this project.

Sincerely,
 R.S. Webb & Associates


 Suzanne DeRosa
 Senior Archeologist


 Robert S. Webb
 Principal Archeologist

Enclosures: Figure 1

Attachments: A and B

Attachm.ent A

Results of Literature Review: Forsyth County Resources

county

205 Butler Street, Suite 1462
Atlanta, Georgia 30334
404/656-2840

Resource No. F0-00-'145

1:7 Description of outbuildings (if any)

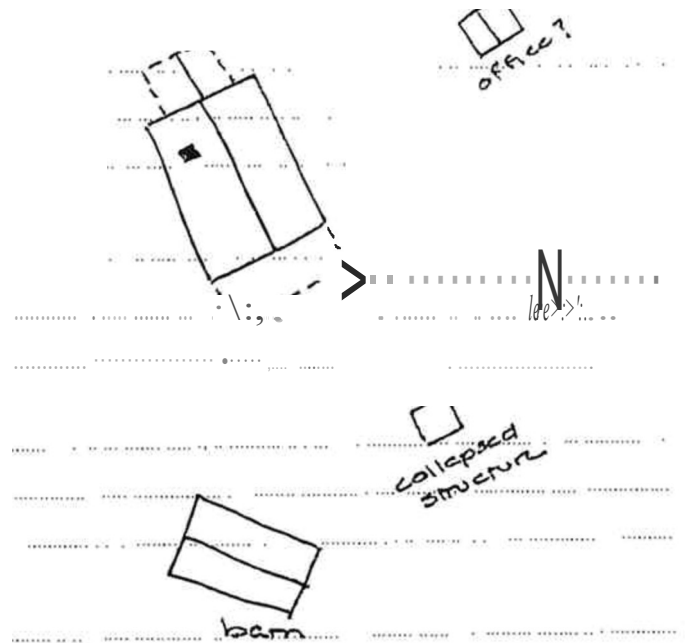
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garage, -'ll lovely board siding, w/1 rnf

office? - no'leliy boattf and a.rphall sneer siding. tin roof

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28 Site plan with North at top



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 outbuildings f sites O
 landscape features O

31 Description of the environment

32 Archaeological potential

33 History

34 Historical theme(s)

T.fAMI - :.tJr,q ill! !:Y r:.....

35 Significance

36 Sources of information

37 Prepared by (pmon, organization and address)

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39 Government preservation activity

0 Section 106 review O Grant
 0 Tax certification O Other

40 s'fro eval,;, tion

41 Dsc;s"q adr"angi' -name.i,i ,n ;; .ciA

UTM reference

"Z"one easfros 2.26 1.0 0 2.74 1.0 0

42 Tax roap number

43 Recognition and date

0 National Landmark
 0 National Register
 0 Georgia Register
 0 Local designation
 OHABS/HAER
 0 Determination of eligibility
 0 Other

Attachment B

Results of Literature Review: Report from Archaeological Site Files

REDACTED - NOT FOR PUBLIC RELEASE

**Inadvertent Discovery Plan
Port Royale Marina
Gainesville, Forsyth County, Georgia**

Introduction:

The Port Royale Marina currently leases their area from the U.S. Army Corps of Engineers (USACE), Mobile District. Port Royale Marina is located approximately 0.1 aerial miles southwest of Georgia Highway 369 (Browns Bridge Road) and approximately eight miles southwest from downtown Gainesville, Georgia, approximately an hour northeast of Atlanta. The property is accessible via Port Royale Drive, a paved road that is located on the marina property and connects to Browns Bridge Road.

The proposed action includes the addition of paved parking and an associated access road, bath houses, and cart corrals by docks, relocation of an existing wave break, paving an existing gravel truck and trailer parking area (Parking Lot T), a water swap with the USACE, removal, modification, and/or addition of dry stack storage, wet slips, and docks, including the addition of a new pumpout and fuel dock and new courtesy slips. There will be no other construction or ground disturbing activities within the lease area associated with this action. The Proposed Master Plan includes several other proposed activities that have previously been approved by the USACE. These actions include construction of residential Lakeview and Mountainview cottages, marina village lodging/shops, yacht club facility, activities pavilion, lodge/conference/spa with approximately 125 overnight rooms, nature trails using pervious materials, and additional docks and paved parking.

This real estate action does not meet the requirements of a categorical exclusion. The impacts associated with this project have been evaluated in an Environmental Assessment. Further NEPA documentation could be necessary in the event of any changes to the project as it was evaluated in the Environmental Assessment or presented in the implementation plan.

Federal permits are required; therefore, this project constitutes a federal undertaking as defined under 36 CFR Part 800 *Protection of Historic Properties; Final Rule*, the Advisory Council for Historic Preservation's administrative regulations implementing the National Historic Preservation Act of 1966 (NHPA). As this project is on USACE Mobile District property, the Mobile District of the U. S. Army Corps of Engineers (Corps) has been designated the Lead Federal Agency for this project and is, therefore, responsible for cultural resources issues. Section 36 CFR Section 800.13 details actions to be taken in the event that historic properties are discovered during the implementation of this undertaking.

This emergency discovery plan involves two principal areas of concern.

1. Unidentified archaeological sites that have not been subjected to NRHP evaluation.

These are sites which usually consist of cultural materials (artifacts) as contained within a reasonably intact soil matrix. For prehistoric sites, items such as projectile points (arrow heads), pottery sherds, shells, bone fragments, etc., which may be contained within a dark soil. The dark soil is usually the result of humans introducing organics such as carbon

from fires, animal tissue, waste, etc. These may be large dark areas where people lived or smaller dark areas that represent storage pits, fire basins or even graves. For historic sites, the artifacts may consist of brick fragments, broken bottle glass (clear, green, amethyst, etc.), ceramic plate fragments, iron objects (nails, hinges, etc.), bones, and so forth which may be associated with dark soil.

2. Human remains.

Beginning in prehistoric times and continuing into the present, humans have inhabited the project area. As a result, human remains may have been interred within the project area. If present, human remains are likely to appear as bone fragments or chalky white substances as contained within elongated dark areas (graves).

Archaeological Site Identification Training:

Site Managers, grading supervisors and heavy equipment operators (bulldozers, excavators, trackhoes, etc.) will attend an initial training session. This should be done as a part of their regular safety meetings. Archaeologists will spend fifteen to thirty minutes describing potentially significant artifacts that the operators might find, describing how such finds might appear (by providing actual examples of artifacts and/or photographs of artifacts and the dark soil matrix), and explaining what to do in the event that discoveries of such potentially significant artifacts are made. The operators will also be instructed as to what is NOT considered significant (i.e., recent trash such as beer bottles, aluminum cans, plastic, etc.). The aim of such training is not to slow down the earth-moving process but rather to identify a critical path to be followed for legitimate potentially significant discoveries. Construction personnel will also be apprised of the exact protocol to be followed in the event they encounter what they believe to be a potentially significant artifact.

Emergency Discovery Protocol:

In the event that a potentially significant artifact(s) (i.e. not recent trash) representing one or a combination of the above described areas of concern is observed, then the following procedures will be followed.

All heavy equipment operations within a fifty (50)-foot buffer surrounding the potentially significant artifact(s) will cease. The registered professional archaeologist, to be determined, will then be consulted regarding the potential artifact.

If the archaeologist believes that the find is a potentially significant artifact and does fall within one or more of the above referenced concerns, then the site supervisor will cordon off the relevant area and enforce the aforementioned buffer around the find. He or she will then initiate the notification process outlined below:

1. Mr. Charles Dixon, Chief Maintenance & Projects Officer for TEI Industries (owner of Port Royale Marina), will be contacted (office: 770-919-2628; cell: 770-861-9315)
2. The Lake Sidney Lanier Project Office will be contacted and detail will be given on the circumstances of the find. The Lake Sidney Lanier Project Office will then contact Ms. Wendy Weaver, District Archaeologist at (251) 694-3867 (direct office line) or (251)

604-2690 (cell phone), or Michael Malsom, Inland Chief (251) 690-2023 at the USACE Mobile District Office.

3. USACE will then notify the SHPO and the appropriate Federally recognized Tribes, if applicable. The District Archaeologist will be responsible for further investigation of the potentially significant artifacts. The District Archaeologist will investigate the find and, if they determine it, in their professional opinion, to not be significant, they will document sufficient justification for their decision. If, however, they determine the find to be significant, then, USACE, and the SHPO and, the appropriate tribes will be notified immediately and a plan of action will be initiated.

Summary:

The purpose of this document is to provide an emergency discovery protocol in the event that unidentified cultural materials are revealed during grading and construction activities. It should be noted that there may be historic materials which may remain on certain sites after the archaeologists have completed their work. These sites, though mitigated through data recovery, may contain some archaeological materials as a result of the sampling program employed. This is interpreted as an acceptable loss and should not hinder the construction program as long as they are not human remains. In this case, all work will cease, as per the protocol outlined above, in order to allow an appropriate plan of action to be developed to address the particular circumstances of a particular specific find(s).

Appendix F – Boat Wash Documentation

1. Boat Wash Sublease Approval
2. Boat Wash Permit Application



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

REPLY TO
ATTENTION OF:

Real Estate Division Management & Disposal Branch

Port Royale Marina
Attn: Brent Pearson
8800 Port Royale Drive
Gainesville, GA 30506

Dear Mr. Pearson:

This letter is in reference to the proposed sublease at Port Royale Marina. In accordance with the provisions of the master lease, number DACW01-1-00-0054, the enclosed sublease to the Drive in Boat Wash Lake Lanier #1 LLC is approved subject to the following conditions:

- a. Operations of the sublessee must comply with all conditions found in the master lease.
- b. The master lease requires the Corps conduct all affairs with the prime lessee only. Therefore, Port Royale Marina is responsible for ensuring the sublease operations are compliant with all conditions found in the master lease.
- c. This approval is only valid through the termination/expiration date of 01 April 2023 as stated in the sublease.
- d. This approval serves to concur with the sublease activities but is not to be construed as warranting the legal sufficiency of the sublease agreement.

If you have any questions please call Briana Terry at 770-615-5865 or email at Briana.N.Terry@usace.army.mil.

Respectfully,

Christopher May

Christopher C. May
Real Estate Contracting Officer



PORT ROYALE MARINA
8800 Port Royale Drive
Gainesville, GA 30506
(770) 887-5715

Effective upon the date of this **YEARLY AGREEMENT**, Traina Enterprises Inc. dba Port Royale Marina hereinafter "Company" agrees to provide an Assigned Space at our public Courtesy Dock, but subject to change per Section 7) of this Agreement, for and in consideration herein entirely expressed, to "Owner" (described below):

Drive-In Boatwash Lake Lanier #1, LLC

| | | |
|--|------------------|------------------|
| OWNER 1 | | OWNER ID# |
| DIBWpiedmont@gmail.com | | |
| E-MAIL ADDRESS | | |
| 2437 Gatebury Circle | | |
| PHYSICAL ADDRESS | | |
| MAILING ADDRESS | | |
| Chamblee, GA 30341 | | |
| CITY, STATE, ZIP | | |
| () | () | () 678-948-5250 |
| HOME PHONE | MOBILE PHONE | WORK PHONE |
| EMPLOYER (NAME OF BUSINESS IF SELF-EMPLOYED) | | |
| EMPLOYER ADDRESS | | |
| CITY, STATE, ZIP | | |
| / / | | |
| SOCIAL SECURITY # | DRIVER LICENSE # | DATE OF BIRTH |

| | | |
|--|------------------|---------------|
| OWNER 2 or SPOUSE | | |
| E-MAIL ADDRESS | | |
| PHYSICAL ADDRESS | | |
| MAILING ADDRESS | | |
| CITY, STATE, ZIP | | |
| () | () | () |
| HOME PHONE | MOBILE PHONE | WORK PHONE |
| EMPLOYER (NAME OF BUSINESS IF SELF-EMPLOYED) | | |
| EMPLOYER ADDRESS | | |
| CITY, STATE, ZIP | | |
| / / | | |
| SOCIAL SECURITY # | DRIVER LICENSE # | DATE OF BIRTH |

1. **TERM / RENEWAL** Term of Agreement shall commence on 6 / 8 / 2021 continuing until **ANNUAL RENEWAL DATE of APRIL 1** for a period of TWO YEARS unless sooner terminated as provided herein. Company and Owner agree that either party may terminate this annual Agreement, upon its expiration at the end of its term on March 31st, by giving at least 30 days prior WRITTEN notice. Owner is responsible to deliver such notice to Company by March 1st and remove his property from Company Premises by March 31st. In the absence of such notice, this Agreement shall automatically renew and continue for successive terms of one year beginning annually on April 1st at then-current rates. This Agreement shall survive changes in Assigned Space, transfer, movement, or sale of Owner's property for any reason, and continue to apply until properly terminated as provided herein. Owner hereby agrees to have read and understood the automatic renewal clause of this Agreement.

Owner's
Initials

KS

2. **RENT** The entire Annual rent is due and payable April 1st for each year in advance. If Owner's property remains stored upon Premises, and the account remains current, Company may at its discretion finance the Annual rent in arrears, with Monthly or Quarterly payment plans, credited against the Annual balance as follows: Initial Rent Rate is \$1,000 payable (Monthly) due on the 1st & past due the 10th of each month billed.

Owner agrees that all rates, including Initial Rate and/or subsequent rates, are subject to adjustment without notice (not to exceed current advertised rates) at any time during the course of this Agreement, for any reason such as vessel size measured to be different from Owner's description (particularly for Dry Stack), transfer of Assigned Space, expiration of discounts, or periodic price adjustments. Owner shall continue to be responsible for payment of rent at the new rates, which shall constitute Owner's acceptance thereof for remaining term of Agreement. Owner acknowledges all discounts expire no later than March 31st of each year. Owner agrees all rental rates are based on a Yearly Agreement (including adjusted rates, such as for transfer of Assigned Space) and that Owner shall in no event be released from obligations of this Agreement and payment of rent during the entire term for any reason, including but not limited to Owner's property becoming damaged, mechanically impaired, stolen, sunk, secured, foreclosed upon, removed from Assigned Space and/or transfer of space assignment, transfer of ownership, faulty / incomplete repairs or billing disputes. Certain amenities (electricity, water, TV, dock boxes, patios, wi-fi, laundry, fitness center, pool, clubhouse, beyond-standard width/height/length/weight, overhang, hoists, parking, ramp access, valet haul/launch, pumpout, service & repairs, provisioning, etc) may be offered and billed separately at current rates. Amenities are not promised for any period of time under this Agreement, but are instead provided at sole discretion of Company, and only if Owner pays for amenities as billed.

3. **DEPOSIT** A security Deposit of \$_____ shall be paid by Owner to Company upon execution, and for the duration of, this Agreement. Company may apply Security Deposit to Owner's account for payment of any charges, including but not limited to rent, amenities, purchases, parts, repairs, Service Work Orders, maintenance, utilities, damages, late fees, cost of moving / securing / storing, or charges for any expense upon Premises occasioned or contributed to by Owner, his property, agents, guests, family, visitors, or invitees. Upon termination of this Agreement for any reason, Owner shall deliver Assigned Space to Company in as good condition as originally received. Upon compliance with all provisions and terms of this Agreement, the Security Deposit or its portion thereof remaining, shall be returned to Owner. Amount of Security Deposit shall be subject to change at any time during the course of this Agreement (not to exceed current advertised rates) and Owner shall be responsible for payment of any additional Security Deposit required, for example in the case of rate adjustments, transfer of Assigned Space, additional amenities or storage added to Owner's account, or changes in billing frequency. If this Agreement is terminated by Company due to any breach by Owner, his guests or invitees of any term herein including Rules & Regulations on backside of this Agreement, Owner is not entitled to a refund of Deposit or any pre-paid rent, regardless of Company's ability to re-rent Assigned Space. This shall not be deemed a penalty or forfeiture, the parties agreeing that those funds shall compensate Company for administrative, re-marketing, and other costs associated with Agreement termination and shall not affect Company's right to collect unpaid rent or any other charges to Owner's account.

4 CREDIT POLICY

- 4.1 An Account is established for each Owner, the balance for which shall be paid in full by the 10th of each month, to which Company may apply all charges for which Owner is responsible, including but not limited to rent, amenities, purchases, parts, repairs, Service Work Orders, maintenance, utilities, damages, late fees, cost of moving / securing / storing, or charges for any expense occasioned or contributed to by Owner, his property, agents, guests, family, visitors, or invitees. Owner hereby authorizes Company to request and review information from third-party Credit Reporting agencies at any time, without prior notice. Payments are applied in order of "oldest invoice first" to Owner's account balance. Company is not obligated to provide written statements. Owner agrees to accept written, email, or other electronic invoices and communications, and is solely responsible to immediately advise Company in writing of all changes in contact information.
- 4.2 Any Account more than 30 days past due is charged late fees on the entire amount at the rate of 1.5% per month (18% annual). Minimum late fee is \$25 per month. Owner is responsible to pay all court costs, attorney fees, and collection costs incurred by Company for their Account. If Owner files or declares bankruptcy, this Agreement is terminated, and storage continues from date of filing at posted Transient Rate.

- 4.3 Minimum \$30.00 service charge is posted for returned check or charge-back, for which Owner agrees to pay late fees incurred. Credit card payments are subject to minimum 2% service convenience fee.
- 4.4 When an Account is more than 30 days past due, property in Assigned Space may be secured, impounded, seized, disabled or relocated from its Assigned Space per Section 5 "Owner's Default" and/or Owner's account status may be considered "Holding Over" at two times the posted Transient Daily Rate, and/or may be immediately due and payable for the full amount of this Agreement thru April 1st and/or changed to pre-paid Annual Billing, at Company's discretion. Such action shall not constitute a waiver of any provisions of this Agreement and Owner remains responsible for all charges as described Section 4.1.
- 4.5 Owner hereby acknowledges that Company shall have an express lien (O.C.G.A.44-14-402) against any property, vessel, appurtenances, contents and components (Owner's or otherwise) stored by Owner, his agent or guest upon Company premises, for any unpaid sums due on his Account for rent, amenities, purchases, repairs, parts, Service Work Orders, maintenance, utilities, damages, late fees, costs of moving / securing / storing or any other charges for which Owner is responsible including damage caused or contributed to by Owner, his property, agents, guests, family, visitors, invitees, or pets to any property of Company or other parties on Premises, and that Company may secure, impound, seize, relocate and hold such property as collateral until full payment is made with secure funds approved by Company.
- 4.6 All Accounts must be paid in full, with secure funds approved by Company, before Owner shall be permitted to permanently remove his property from Company Premises. If Owner's property is sold and Buyer does not intend to assume this Agreement, or if Owner intends on removing his property from Company Premises permanently for any reason including job or home transfer, moving vessel to another marina, trading to another size vessel, etc then entire amount of this Agreement, all of the remaining sums and payments, shall become due and payable before Owner's property is removed. Owner hereby authorizes Company to secure, relocate, seize, impound, or disable his property to ensure this timely satisfaction, and takes full responsibility for any resulting claims against Company.

5. OWNER'S DEFAULT Owner is responsible to observe, understand, and comply with Company Rules & Regulations (reverse side of this Agreement & all revisions posted & copies available at Company office). Should there occur a breach of any posted or amended Rules and Regulations, or any term and condition of this Agreement, loss of space assignment preference shall result and/or Company may terminate same, at which time Owner hereby grants to Company the Power of Attorney to (at Owner's expense) immediately remove boat, contents, & other property from Assigned Space, relocate elsewhere, retake possession of Assigned Space, and hold such property (uncovered & without amenities) as security for all unpaid sums on his Account as defined in Section 4.1 "Credit Policy". Termination is final three days after notice, by which time Owner shall pay all sums due Company and remove his property from Premises. Should Owner fail, refuse, or neglect this obligation, such property shall be deemed abandoned (GA Code 44-14-411 & IN Code 32-34-10-4) at which time Owner grants to Company the Power of Attorney to (at Owner's expense) immediately remove boat, contents, and other property from Premises, hold off-site as security (uncovered & without amenities), and auction such property to recover the amount of unpaid sums due, including fees for Attorney, Court, and Collections. Waiver by Company of any default of this Agreement shall not constitute a continuing waiver of any subsequent default(s), either of same or other provision of this Agreement.

6. DISCLAIMER OF LIABILITY It is mutually agreed that Company does not accept responsibility for storage of Owner's property, shall not be held liable in any manner for the safe-keeping or condition of same, and is not responsible therefore as warehouseman, liveryman, bailee or landlord. Owner agrees and understands that Company shall not be responsible or liable for any damage or loss to Owner's property, including but not limited to his vessel, tackle, gear, equipment, or any other property located in Owner's Assigned Space, adjacent thereto, or anywhere else upon Premises, or for any injury or death of Owner, his agents, guests, family, visitors, invitees, or pets occasioned by any cause upon Company Premises or adjacent thereto, for any reason whatsoever including but not limited to seizure / impoundment / securing property for past due balance, illegal activities such as theft or vandalism, fire, collisions, haulout & launch, valet dry storage, sinking, chemical spills, underwater obstructions, anchors & lines, power outages or surges, brown-outs, weather, storms, freezing, hail, lightning, winds, floods, drought, wild or domestic animals, or any other Acts of God. Owner acknowledges that boats, boating, docks, water, and marinas are, in themselves and by their nature, inherently dangerous, requiring diligence and care on Owner's part at all times. Owner agrees to assume full responsibility for all risks involved to deposit, store, access, operate, and utilize his property upon Company Premises, and for the safety and well-being of Owner and his Guests (including but not limited to Owner's agents, family, visitors, pets, employees, customers, contractors, or other invitees). Owner hereby indemnifies and holds harmless Company, Company's Landlord (including but not limited to DNR and/or USACE) and their successors, assignees, agents, employees, customers, guests and visitors for any and all claims occasioned by Owner and/or his Guests, for any cause upon Company Premises or adjacent thereto. Company is not responsible for prompt or timely completion of requested repairs to Owner's property, and shall not be held liable in any manner for damage or loss arising from Company's failure to perform such repairs, including but not limited to loss of use, freezing, sinking, or damage caused by Owner's use of property prior to completion of requested repair. It is mutually agreed that, should Company choose to take responsibility for any damage to Owner's property, then repairs shall be accomplished by Company or its agent.

7. COMPANY PRIVILEGES It is mutually agreed that Owner conveys to Company those privileges described herein, by virtue of and for the entire term of this Agreement, to be imposed at sole discretion of Company any time for any reason whatsoever, and that both parties are bound to all terms and conditions of this Agreement regardless of Company's use of privileges: Company shall have the right to terminate Agreement, subject to the conditions set forth herein, should Owner's property and/or operations constitute a nuisance, interference, excessive traffic, safety or environmental hazard or other liability to normal Company operations, or should Owner fail in his rent and reporting obligations. Prior to any termination, Company agrees to provide written notice to Owner of the outstanding issue. Within ten (10) days of the date of the notice, Company and Owner shall use their best good faith efforts to reach a mutually agreed upon solution and a reasonable timeframe for implementing the solution. If the issue is not rectified within the mutually agreed upon timeframe, the Company will issue a final notice with direct actions and timeframe for correction. If the issue is not corrected within this final notice timeframe, the termination may take place per this agreement. This termination shall be effective immediately, by written notice to the address shown on this Agreement and/or notice posted at Owner's property, which shall then be removed from Premises within (60) days or sooner as specified by Company at its discretion (remove due to the logistics required to remove the machine. This would include contracting electricians, riggers, transportation, storage, a new operating location etc.) Should Owner fail in this duty, he authorizes Company to remove, store or dispose of his property, at Owner's expense. Company may refuse service to any current or prospective customer. Owner hereby authorizes Company to immediately and without prior notification enter upon and relocate his property to any covered or uncovered location regardless of amenities (rent for which Owner will continue to be responsible at posted rates) for any reason including but not limited to maintenance of property or Premises, construction / demolition / reorganization, safety concerns, default of this Agreement, improved utilization of available space upon the Premises, or mitigation of conflict among neighbors. Owner hereby authorizes Company to perform repairs and service to Owner's vessel, at Owner's verbal, phone, online or email request and without specific prior written authorization, for which Owner agrees to be responsible per Section 4 "Credit Policy" of this Agreement. Service requests must be directed strictly to the Service Dept (not relayed through other staff such as Slip Leasing, Marina Admin, Maint or Mgmt) and must include a confirmation response to be considered valid. Repairs, service, and maintenance performed by Company are subject to Section 6 "Disclaimer of Liability" of this Agreement. Company may reorganize, reconstruct, relocate, or remove docks, amenities, parking, buildings, bathrooms, breakwaters, or any other structures, improvements, or features upon Premises at any time, without prior notice. Company and authorized officials (DNR, USACE, EPD, Law Enforcement, etc) may access Owner's property for inspection, safety, enforcement, maintenance, emergency or any other purpose. At Owner's expense, Company may secure his property or vessel if not adequately moored and/or remedy any emergency circumstance such as sinking, chemical spill, shock hazard, etc. It is mutually agreed, unless otherwise requested by Company, legal venue for any claim, collection proceeding, dispute, hearing, or appeal by either party shall be in the County of Premises court system, jurisdiction to which Owner consents. If any provision of this Agreement is held invalid by any court, remaining provisions continue to apply, unimpaired by the holding.

8. REVENUE REPORTING AND PAYMENT OF CORP OF ENGINEER FEES It is mutually agreed that Owner will provide Company the Corp of Engineers required monthly reporting of all operational revenue(s) within (3) business days of the last day of each month. Owner will calculate the Corp of Engineers fees due by the Owner based on the total revenue and current rate of the Corp of Engineers Fees paid by Company. It is mutually agreed that the rate of these fees may vary based on Corp of Engineer policies and that the collected fees will adjust accordingly. Company agrees to communicate rate changes to Owner as needed. Owner agrees to pay fees along with monthly rent payment within (3) business days of the end of each month.

Kevin Siemens 6/8/2021

DATE _____

DATE _____

DATE _____

"I HAVE READ, UNDERSTAND, and WILL COMPLY with SECTIONS 1-7 ABOVE and RULES & REGULATIONS (reverse side) OF THIS AGREEMENT and FUTURE REVISIONS (posted in Company office)"

RULES & REGULATIONS INCORPORATED AS PART OF THIS AGREEMENT

- 1) Space assignment is determined by Company management. Assignment may be transferred, and Owner's property relocated by Company, anytime to any location on Premises for any reason, at sole discretion of Company without prior notice. Agreement Terms, Policies, Rules & Regulations survive all such transfers.
- 2) Assignment to a larger space at below standard rate (discounts) may require, at Company's discretion and without notice, rent increase to standard rate and/or relocation to a smaller space
- 3) Company will not be responsible for damage from fire, theft, vandalism, storms, collisions, or sinking of any vessel, for any reason. Company accepts no responsibility for damage caused by power outages or surges, brown-outs, weather, lightning, winds, floods, or any other Acts of God whatsoever. In the event of excessive snow/ice, it is Owner's responsibility to remove vessel from dock to avoid potential damage in the event of its sinking or collapse, however should vessel remain then Company may at its discretion take steps to securely tieup vessel thus supporting dock to prevent its sinking or collapse
- 4) Electrical power may be provided at certain slips for the customer's metered use at current rates, however no guarantee of power availability, quality, type or cost is made or implied. Power service, especially GFCI protected, will be interrupted, without warning and for indefinite periods, therefore Owner agrees not to depend on shore power for safekeeping of his vessel & its contents (such as pumps, chargers, refrigeration, HVAC systems, freeze-proofing, medical equipment, electronics) unless it's safe for these to fail. GFCI compatibility of vessel's electrical system (entirely customer's responsibility) is required
- 5) Shore-power cords must comply with NEC and NFPA regulations and Company procedure EM—003—09. Only approved marine cords shall be utilized, and must not be attached to dock or other structures in any way. Courtesy receptacles shall not be used to power a boat's electrical system.
- 6) Owner shall immediately notify Company in writing of address, phone number, and vessel / property ownership changes
- 7) Swimming anywhere in Marina is strictly prohibited – electrocution, drowning, or other serious injury can occur
- 8) 3 mph boat speed limit inside wavebreak (no wake zone). 15 mph speed limit on roads and parking areas.
- 9) Fueling of boats shall be at gas dock only. Flammable fluids, paint & thinners are not allowed on docks. Stripping, painting, & refinishing of boats on premises is not permitted without prior office approval.
- 10) Assigned Space must be kept clean, free of garbage & debris, and easily passable at all times. Personal property shall not be stored upon or adjacent to dock, walkway, finger, floatation, roof, rafters, parking lot, or grounds, but rather on Owner's boat or inside dock box. Removal of such property shall be at Owner's expense. Fuel tanks, gas grills, propane bottles, batteries, chemicals, oil, holding tanks, open garbage cans, carpet or rugs, building supplies, paint, water-toys, jet-skis, boats/canoes, engines, drives, freezer/refrigerator/ice-maker, electrical appliances, portable toilets, pet cages, and unapproved dock boxes/lockers are strictly prohibited from storage on dock or slip fingers.
- 11) Owner shall maintain property in a neat, clean manner so as not to constitute an eyesore, and in good condition with proper routine maintenance and specific repair so as not to constitute a property damage, general liability, health, environmental, aesthetic, malodorous, or public safety concern
- 12) Alteration, modification, or addition to dock by Owner (patios, electrical, plumbing, carpet, rubrails, decking, etc) is strictly prohibited. Proposed alterations to Cabin / Boat House must be submitted to Company and approved in writing. Telephone, antennas, satellite dishes, or wiring of any type must have prior written office approval. Repair of unapproved alterations shall be at Owner's expense.
- 13) Agents, guests, family, visitors, invitees, pets, or any others may be permitted on Premises at Company consent, only when accompanied by Owner, and may utilize Owner's property only with written permission provided to, and approved by, Company office
- 14) Agents, guests, family, visitors, invitees, pets, or any others shall access Premises only upon roads, stairs, paths, bridges and walkways intended for that purpose, but shall not take short-cuts, trespass, or wander alongside shoreline, through wooded, grassy, landscaped or undeveloped areas, storage or maintenance lots, or any other path not specifically authorized and intended by Company to access Owner's property because those may be dangerous including trip hazards, wild animals, poor lighting, or exposure to unsafe equipment, materials & conditions. Only authorized Company employees are permitted to access launch ramp area, shops, rack buildings, rail area, construction sites, wave attenuators, Company equipment, utility docks, electrical enclosures or any other non-public areas
- 15) Subcontractors for any purpose are prohibited upon Premises without specific prior approval of Company Management
- 16) Sub-leasing, renting, loaning, or storing property not belonging to Owner in Assigned Space is not permitted
- 17) Commercial activities such as brokerage, repair, cleaning, renting, charter, etc are not permitted
- 18) Music, television, partying, conversation, engines / generators, dogs barking, children playing and all noise in general must be lowered at midnight.
- 19) Profanity, public drunkenness, running on docks, excessive noise, rude/obstinate/inconsiderate or lewd behavior, discharge of fireworks or firearms, noisy or nuisance pets/children/guests, damage to Company property, vandalism, drug use, DUI, BUI, theft or any other illegal activity, environmentally irresponsible conduct, or bad-mouthing Company or its agents is not permitted
- 20) Children under 21 are not permitted on premises after midnight unless accompanied by Parent or Guardian
- 21) Only marina-approved dock boxes are allowed and all dock boxes shall be charged for at the posted rate
- 22) Owner shall be responsible for all damages to all parties arising from his use of Company Premises, including but not limited to his vessel extending outside the slip, causing chemical leaks or exposure, vessel fire & explosion, improper tie-up, collisions, sinking, or any other negligent, accidental, or intentional damage to docks, boats, or other property. Boats shall be adequately moored (min 4 lines).
- 23) Boat trailers (including boats on trailers) must not be parked at will upon the Premises or in customer parking spaces, but instead are stored in assigned lot at current posted rates, and retrieved by Company with 24-hr advance notice on weekdays only. Trailers are not stored & retrieved on weekends or holidays. Abandoned or improperly parked trailers, vehicles, etc will be impounded at Owner's expense.
- 24) All pets must be secured on a leash or aboard Owner's boat, and shall be frequently walked on shore so as to prevent relieving themselves upon the dock, which is corrosive and damaging to steel structures, offensive to customers, and pollutes the water. No vicious, dangerous, or large pets allowed on premises, at sole discretion of Company.
- 25) Owners and their guests may fish in their slips, not in their neighbor's slip or in public areas
- 26) Owner shall notify Company in writing if his property or vessel is to be removed from Assigned Space more than 48 hours
- 27) Only one boat may be stored in each Assigned Space, additional boats (including PWC) may be stored in Owner's space or on his boat, at posted rates, with Company approval
- 28) Overnight visitor boats must be approved by office, pay the posted transient rate, and moored in assigned slip
- 29) Owner must carry property damage and public liability insurance on his vessel and provide Company with such documentation as requested, which Company may provide to other parties at its discretion
- 30) Vessels extending outside the slip are not protected by the dock, and may cause or be damaged by collision with other vessels or docks particularly during windy or stormy conditions. Owner assumes full responsibility for any such damage and may at Company discretion be charged an additional fee for such extension, in addition to base slip fee.
- 31) Fresh water may be available during mild weather months only, however no guarantee of fresh water availability, quality, type or cost is made or implied
- 32) Owner acknowledges this Agreement is subject to the terms of Company's Master Lease with U.S. Army Corps of Engineers DACW01-1-00-0054. Compliance with USACE and DNR regulations is required. Owner's lease Agreement shall not exceed the terms of Company's Master Lease. Vessels with bathroom facilities must have a holding tank -- pumpout station is provided. Utilizing Premises as primary residence is prohibited (30-in-60 day rule applies). Vessels without a documented pumpout history may be scheduled and charged for regular mobile pumpouts.
- 33) Company and authorized officials (DNR, U.S. Army Corps of Engineers, Law Enforcement, EPD) may access and enter upon Owner's property at any time for inspection, safety, enforcement, maintenance, emergency or any other purpose.
- 34) Washing boats such that soap, detergents, cleaners, solvents, or other chemicals are discharged into the lake, or anywhere on-shore upon Premises, or the use of a pressure washer in any way, is prohibited
- 35) Temporary or month-to-month Owners must store trailer at marina -- if their slip is needed and they can't be reached, Company may haul-out & store vessel at Owner's expense
- 36) Uncovered storage may be offered on ends of docks, at Company discretion, only while waiting on full slip storage to become available, at which time Owner must utilize full slip storage at current posted rates
- 37) Marina facilities, including docks, dry storage, Sales, Service, or parking areas are not climate-controlled, weather-proof, or traffic-proof to the general public. Owner is responsible to close and cover his vessel, to prevent access to its contents or damage from animals, mold, leaves & debris, etc. Vessels stored on premises are never "automatically" winterized, the parties agreeing that Owner shall be responsible to arrange for winterizing and securing the vessel against damage from freezing temperatures, rain, snow, ice, wind or other inclement weather. Owner must secure his vessel at all times, including when conveyed to Company for Service & Repairs, to prevent theft or vandalism. Suggestions include but are not limited to installation of a cover for the vessel, anti-theft alarms, installation of locking devices (trailer tongue, wheel lug, gas cap, prop, sterndrive, spare tire, and door locks), and removal from vessel or hiding of valuables (electronics, water toys, personal belongings, alcohol, etc) Owner is responsible for installation & removal of drain-plug, to prevent water damage from rain or sinking, as it's status may have changed during Service & Storage.
- 38) Boats and other property secured as collateral for past-due accounts are managed by one designated collections officer at each property, Monday through Friday on non-holidays. Payment can be accomplished anytime, and secured property will be released at the Companies convenience upon verification of funds and account balance by the collections officer and General Manager. Owner must not expect the timely release of secured property on weekends or holidays.

BOAT SALES

- 39) "For Sale" ads in newspapers or other media must list the boat owner's phone number, not the Marina's phone number. Public advertisement of dock & slip numbers or "For Sale" signs are not permitted.
- 40) Prospective buyers, surveyors, or transporters are not permitted aboard any boat unless accompanied by Owner, without express permission of Company. Outside brokers are not permitted to access or advertise upon our Premises.
- 41) If you wish, Company will broker your boat for you at a fixed commission which covers all costs of advertising and showing the boat to potential buyers
- 42) When a boat sells, original Owner may with Company consent grant buyer right of refusal on slip, otherwise Agreement stays in effect with original Owner until slip re-rents
- 43) Brokerage sale of Owner's boat by Company shall not constitute early termination of this Agreement. Customer's Account shall be satisfied with funds deducted from the sale, before remaining funds are distributed to lien holders and/or Owner.

DRY STORAGE

- 44) Rates include (1) launch and haulout per day, additional are available at posted rates. Please call Company office to schedule launch -- minimum one (1) hour notice required.
- 45) Company does not inspect, install, or remove drain plugs, Owner is solely responsible. Boats returned with excess bilgewater may not be racked until drained by Owner.
- 46) Owner shall install, inspect and maintain an Automatic Bilge Pump properly wired with full charge battery-- vessel WILL be exposed to rainwater, may leak, and could sink if Bilge Pump is inoperable.
- 47) Boats may be stored with their tops or towers raised when space is available, at additional rent charge for height over windshield. This is accomplished by specific written Owner's request, approval and billing code assignment by Company office, and re-arrangement of rack system for extra clearance -- otherwise, tops or towers left up (or power-assist models not securely fastened in the lowest position which may raise themselves fully or partially with wave action, heat from sunlight or vibration from haulout & transport) will be damaged when boat is racked, for which Company is not responsible.
- 48) Any device mounted at transom (trim tabs, transducers, ski ladders, speedometer pickup, etc or anything except outdrive) must be raised or removed by Owner upon return to avoid forklift damage, for which Company is not responsible. Anything except outdrive that hangs down at the transom WILL eventually be damaged by the forklift, for which Company is not responsible.
- 49) Owner must return and tie-up their boat at courtesy staging dock -- not the launch/recovery, Sales, Rental, or Gas dock. Use the scheduling board provided to advise Company whether to re-rack or leave boat at Courtesy Dock overnight. Owner agrees that his boat may remain in the water several days & nights depending on circumstances.
- 50) Boats are retrieved and racked on a first come, first serve basis after coordination of launching requirements -- depending on volume, weather, and other factors that often means the following day or later. Owner agrees his boat may be moored several days uncovered at Courtesy Dock. Boats left without instructions, or not claimed by 12:00 noon the day after launch, will be returned to their rack.
- 51) Owner shall provide bumpers and two pair of mooring lines, one each at bow and stern, min 10 foot in length and good condition, affixed to both port and starboard for tie-up at staging dock
- 52) Owner shall straighten outdrive and store towables (tube, etc) inside boat & not on swim platform upon return to courtesy dock, and switch off blowers, lights, and radios
- 53) Owner shall leave larger slips and end ties on courtesy dock for the use of larger vessels

BOAT SERVICE

- 54) Owner is solely responsible for proper vessel maintenance, and shall exercise ordinary care to avoid damage or loss, including but not limited to the prevention of leaks and maintenance of -- underwater fittings (seals, bellows, thru-hulls, etc) and the hull to prevent deterioration and leaks, shore power system to avoid electrical issues, powertrain to avoid leaks and risk of explosion and/or contamination, and seasonal winterize/summerize which is NEVER performed automatically by Company, but only as specifically directed to our Service Dept

Kevin Siemens

OWNER 1

OWNER 2

FOR OFFICE USE ONLY

BOAT ID # _____ YEAR: _____ MAKE & MODEL: _____

ENGINES: SINGLE or TWIN MAKE: _____ HP or MODEL: _____ TYPE: IO OB IB JET

HID# _____ REG# _____ LENGTH: _____ BEAM: _____

EXPLAIN TERMS & CONDITIONS DEPOSIT \$ _____

CUSTOMER SIGN : FRONT REVERSE PRORATE RENT \$ _____ / / thru / /

PHOTOCOPY LICENSE & CHECK / CASH RENT \$ _____

AGREEMENT COPY (front & back) TO CUSTOMER

GATE CARDS DOCK BOX \$ _____

UPDATE DOCKLIST DOCKBOX TV TRAILER TRAILER \$ _____

PACKET w/MAP, RULES & REG, ETC PRIVATE DOCK \$ _____

TRAILER DESCRIPTION SHEET & LOCATION LIST SHED \$ _____

SETUP NEW CUSTOMER IN COMPUTER PATIO \$ _____

BILL CODES STORAGE JETDOCK DOCKBOX TRAILER ELECTRICITY PATIO OVERHANG \$ _____ # feet =

APPLY DEPOSIT & RECEIVE PAYMENT GATE CARD \$ _____ #

MANUALLY BILL FIRST PERIOD if required REMOTE \$ _____ #

CREATE CUSTOMER FOLDER OTHER \$ _____

MAINTENANCE LIST for dock box, trailer, etc

CREDIT CHECK IINITIAL PAYMENT \$ _____

17. DIRECTIONS TO THE SITE

From 1-985 N, take exit 17 for GA-13 N. Take a left onto GA-13 N. Continue for 2.4 miles and then turn left onto Memorial Park Drive, and then left onto GA-389 W. Continue for 7 miles, and then turn left onto Port Royale Dr. The destination is on the right.

18. Nature of Activity (Description of project, include all features)

The Project entails installing a fully-contained floating mechanical boat wash system measuring approximately 59.9' by 27.3'. No piles will be driven. The structure is towed and tied off to the existing pier at a permitted marina.

The proposed system washes the hull of the boat mechanically with the use of brushes and lake water only, and without the use of chemicals. The brushes are composed of plastic, which have the shape of long straws and can bend relatively easily when under pressure, providing a gentle cleaning method. The brush pressure during the wash is gentle and controlled.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The proposed boat wash system is a proven technology with multiple installations in the United States and Europe. The overall purpose is to provide boaters an environmentally friendly way to remove aquatic growth from the hull and reduce the need for toxic copper anti-fouling paint.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

NIA

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

| Type Amount in Cubic Yards | Type Amount in Cubic Yards | Type Amount in Cubic Yards |
|-------------------------------|-------------------------------|-------------------------------|
| NIA | NIA | NIA |

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres NIA

or

Linear Feet NIA

23. Description of Avoidance, Minimization, and Compensation (see instructions)

The machine is delivered in 7 major parts that are assembled together on the uplands before placing it into the water. The boatwash system would be assembled and placed into an existing slip at the marina. No construction (e.g., pile driving) would be needed. No turbidity is generated as a result of placing the boatwash system into the water. In addition, the proposed boatwash system is being placed at a permitted marina within a slip so impacts to marine resources are not anticipated and therefore no mitigation is being proposed.

Appendix G – Consultation/Notice

1. Agency Consultation (Pending)
2. Public Comments (Pending)

PENDING