



US Army Corps of Engineers, Mobile District (CESAM)

West Point Lake

Shoreline Management Plan

September 9, 2024



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SOUTH ATLANTIC DIVISION
60 FORSYTH STREET SW, ROOM 10M15
ATLANTA, GA 30303-8801

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09 September 2024

MEMORANDUM FOR Commander, U.S. Army Corps of Engineers, Mobile District
(CESAM-DE), 109 St. Joseph St, Mobile, AL 36602

SUBJECT: West Point Lake Shoreline Management Plan

1. I commend you and your staff for the extensive coordination effort and public involvement process used to accomplish this revision. The result is a comprehensive and practical plan which will be a valuable tool, enabling us to manage shorelines in a manner that will promote their safe and healthful use by the public while maintaining environmental safeguards to ensure a quality resource for public use.
2. My staff has confirmed that appropriate consideration was given to compliance with National Environment Policy Act (NEPA) and other relevant environmental requirements and legal mandates.
3. The subject plan and Environmental Assessment have been reviewed and are compliant with NEPA and U.S. Army Corps of Engineers shoreline management policies, regulations and guidance. The West Point Lake Shoreline Management Plan is approved as submitted.
4. Questions may be directed to Amy Cobb at 251-581-4084.

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Digitally signed by
MCCALLISTER.LARRY.DWAYN
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Date: 2024.09.09 12:57:48 -0400

Encl

LARRY D. MCCALLISTER, PhD, PE, SES
Director of Programs

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1 Purpose

The purpose of the West Point Lake Shoreline Management Plan is to provide guidance and information specific to the effective management of the reservoir shoreline, which includes the adjacent public lands and waters. The plan describes the types of private uses and activities that may be permitted along the shoreline and addresses shoreline allocations, rules, regulations, and other information relative to the West Point Lake Shoreline Management Program.

2 Objective

US Army Corps of Engineers (USACE) policy is to provide for the management of all public lands and waters associated with the West Point Lake in a manner that promotes the safe and healthful public use of the shoreline while also ensuring the conservation of natural resources for present and future generations. Public access to and from the shoreline will be preserved. The intent of all management actions will be to achieve a compatible balance between permitted minor private uses and long-term resource protection for general public use and enjoyment.

3 Authority

This plan was prepared in accordance with the requirements of USACE Engineer Regulation (ER) 1130-2-406, "Shoreline Management at Civil Works Projects," dated 31 October 1990 and updated 14 September 1992 and 28 May 1999.

4 Jurisdiction

USACE has proprietary jurisdiction over USACE-managed Federal lands. Under Section 234 of the Flood Control Act of 1970, certain project personnel may enforce Code of Federal Regulations (CFR) Title 36 Part 327 (36 CFR Part 327). Under Section 10 of the Rivers and Harbors Act of 1899, as amended, and Section 404 of the Clean Water Act of 1977, certain USACE personnel may enforce portions of 36 CFR Part 200, which contains rules and regulations governing public use of water resource development projects administered by the Chief of Engineers. The States of Alabama and Georgia and their political subdivisions retain statutory responsibility to enforce State and local laws.

5 Project Description and History

The West Point Lake is located on the Chattahoochee River in Troup and Heard Counties, GA, and Chambers and Randolph Counties, AL, approximately 3 miles upstream from West Point, GA, and 50 miles southwest of Atlanta. The project's shoreline stretches 525 miles at the maximum power pool of 635' National Geodetic Vertical Datum of 1929 (NGVD) and encompasses a water surface of approximately 25,900 acres. The total project acreage (58,129 acres) includes a 300'-500' buffer area around the lake.

Construction of the West Point Lake dam and reservoir was authorized by Section 203 of the Flood Control Act of 1962 (PL 87-874) for the purposes of flood control, hydroelectric power generation,

stream flow regulation for downstream navigation, fish and wildlife management, and general recreation.

The Joint Interior-Army Acquisition Policy governed all land acquisitions for reservoir projects initiated between 1962 and 1971. West Point Lake land was acquired in fee to 644' National Geodetic Vertical Datum (NGVD) or 300' horizontally above contour elevation 638', whichever resulted in the acquisition of more land. Rather than following contour lines, most of the Government boundary consists of straight lines between points. This often results in distances greater or less than 300' between the boundary line and the shoreline.

In order to ensure that the water and land areas of USACE-constructed reservoirs were available to the public, the land that provides access along the shore of the reservoir was supplemented at selected locations for concentrated public use. West Point Lake and other projects having recreation, fish and wildlife, or both as project purposes acquired additional lands as set out in the authorization and specified in design memoranda. This policy establishes that the United States owns in fee a continuous area of land around the reservoir above the water level to ensure ready public access along the shore. Under the Joint Interior-Army Acquisition Policy, USACE acquired adequate land, including areas required for public access, to accomplish all of the authorized purposes of the project and thereby obtain maximum public benefit.

Construction at West Point Lake was initiated in December 1965, and the impoundment reached the full operating level of 635' NGVD on May 25, 1975.

6 Public Involvement

Development of the initial *Lakeshore Management Plan* included public meetings at West Point Lake on July 2, 1974, and at Lanett, AL, on September 25, 1975, with final approval in September 1979.

As a result of the revision of USACE ER 1130-2-406, "Shoreline Management at Civil Works Projects," dated 31 October 1990, and the length of time the original *Lakeshore Management Plan* had been in effect without an update, the need for a major review was identified in the early 1990s. USACE, in partnership with the West Point Lake Advisory Committee, formulated a process for public involvement to accomplish this task. On January 7, 1992, following extensive prior notification, a public workshop was held in LaGrange, GA. The update process was explained, and workshop participants were invited to serve on any of the six committees formed to address the following major areas of concern: Boat Docks; Land-Use Practices; Water Quality; Forestry, Wildlife, and Fisheries Management; Shoreline Allocations; and Recreational Development (later disbanded). Over the next several months these committees met to review the existing plan and make recommendations for the revision.

The committees presented their proposals to the public for comment at a second public workshop, held on April 21, 1992, in West Point, GA. In addition, written comments were received until May 5, 1992. The West Point Lake Resource Management Staff studied the committee recommendations and public comments, conducted field reviews of allocations, and incorporated recommendations in the plan to the maximum extent possible after considering their effects on the resources. This process yielded the first draft of the *Shoreline Management Plan*, which was offered to the public and various Government agencies for written comment in October 1992 and approved soon after.

As a result of the multiple administrative changes made since the 1993 *Shoreline Management Plan* was established and the length of time it has been in effect, the need for another major review was identified. Therefore, USACE held two public involvement meetings in May 2018, one in LaGrange, GA, and the second in West Point, GA. The public was invited to come to both of these meetings with recommendations concerning any and all changes they would like to see incorporated into the *Shoreline Management Plan* update.

7 Private Individual Floating Facility Carrying Capacity

In order to maintain ecological and aesthetic standards, a carrying capacity, or maximum number, of floating facilities has been set for West Point Lake. Using the methodology defined by USACE ER 1130-2-406, "Shoreline Management at Civil Works Projects," dated 31 October 1990 and updated 14 September 1992 and 28 May 1999, it has been determined that this carrying capacity is 4,281 floating facilities. This determination takes into account the approximately 133 miles of shoreline allocated to limited development, the 50' of minimum spacing between facilities, and the limited facility dimensions of 32' x 32'.

8 Shoreline Allocations

The West Point reservoir shoreline extends for 525 miles at 635' NGVD and encompasses a water surface of 25,900 acres. To meet the objectives of the *West Point Lake Shoreline Management Plan* and the *West Point Lake Project Master Plan*, it is essential to control the number, type, and location of facilities and activities on public property. These include, but are not limited to, floating facilities, utility lines, walkways, and vegetative modifications. The shoreline has been allocated into four categories: Limited Development Areas, Public Recreation Areas, Protected Shoreline Areas, and Prohibited Access Areas. Site maps depicting allocations and shoreline markings are included as Exhibits I and II. Allocations are defined below.

Land downstream of West Point Dam adjacent to the Chattahoochee River was also acquired for project management purposes, either in fee simple ownership or as flowage and/or sloughage easements. For the purpose of this *Shoreline Management Plan*, all downstream land owned in fee simple is not eligible for shoreline use permits and/or real estate instruments for private exclusive use. Any activity on USACE easement land is subject to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. Part 403), Section 404 of the Clean Water Act (33 U.S.C. Part 1344), and/or consent to easement real estate instruments.

- **Limited Development Areas**—Approximately 133 miles (25.3%) of the shoreline is currently allocated for limited development (delineated in green on the shoreline allocation maps). Private floating facilities and various land-based activities may be authorized in these areas, provided a permit has been obtained and all permit conditions met. A number of resource management considerations determine whether a permit is granted for a site within a Limited Development Area. Among the factors considered with each application are water depth, navigation concerns, environmental features, terrain characteristics, density of development, existing facilities and activities, and location and layout of the applicant's adjacent property.
- **Public Recreation Areas**—Approximately 240 miles (45.8%) of the shoreline is currently allocated for public recreation (delineated in red on the shoreline allocations maps). These

areas are designated for current or future Federal, State, and other public recreation uses. Commercial concessionaires or other public entities may be permitted to use or develop Public Recreation Areas per approved site development plans. Private-use facilities or activities, including landform or vegetation modification, are not permitted in Public Recreation Areas. In addition, Public Recreation Areas are not considered as legitimate access for a shoreline use permit/license.

- **Protected Shoreline Areas**—Approximately 150 miles (28.6%) of the shoreline is currently allocated as protected (delineated in yellow on the shoreline allocation maps). Protected Shoreline Areas are designated to reduce conflicts between public and private use and to protect or restore aesthetics, fish and wildlife habitat, and cultural and/or other environmental values. Protected Shoreline Areas are also designated in accordance with the provisions of the National Environmental Policy Act of 1969 (NEPA; PL 91-190). Physical characteristics such as water depth, rapid dewatering, exposure to high winds and currents, and channel width are also considered in classifying Protected Shoreline Areas. Private individual floating facilities are prohibited in these areas unless they have “grandfathered” authorization in accordance with PL 99-662. Underbrushing a 5'-wide meandering pathway for access purposes may be permitted, provided its existence is compatible with all criteria of the protected classification.
- **Prohibited Access Areas**—Approximately 1 mile of shoreline is designated as Prohibited Access Areas (delineated in orange on the shoreline allocation maps). Located on or near the dam and operations areas, these areas are classified for public safety and project operations purposes. Therefore, public boating and pedestrian access are prohibited or restricted for safety and/or security reasons.

9 Permits

a Department of the Army Permits

a1 Nationwide/Regional Permits

West Point Lake has the authorization to permit certain activities under 33 CFR Part 330.5. Activities that may be permitted include minor bank stabilization, placement of anchoring posts for private individual floating facilities, and certain other activities below 635' NGVD (normal pool elevation). Specific written approval is necessary to engage in these activities on West Point Lake. Following are some considerations for the most common activities.

- **Wetland Areas**—Wetland areas can occur above and below 635' NGVD. Because these areas provide ideal fish and wildlife habitat, activities in these areas could significantly impact the natural ecosystem and may be prohibited.
- **Silt Materials**—Requests for removal of silt materials are considered on a case-by-case basis. The removal of silt deposits may be authorized by a Specified Acts Permit (SAP) issued through the Project Management Office (Nationwide Permit, 33 CFR Part 334.5a), but only one such permit is issued for a particular location.
- **Shoreline Protection Work**—Minor shoreline protection work by private individuals may be authorized. Limited shoreline protection activities may be approved by the

Operations Manager (Nationwide Permit, 33 CFR Part 334.5a). These locally approved measures include placement of riprap and construction of retaining walls. Riprap is the preferred type of erosion control since it also provides additional aquatic habitat. Concrete block walls are not allowed. Plans for retaining walls and riprap installation, showing dimensions and construction materials, must be submitted and approved prior to construction. In some cases, one set of steps for safe access over riprap and retaining walls may be allowed. Minimum requirements for retaining walls are shown in Exhibit III. The shoreline protection area must be kept to the minimum necessary to protect and secure the private individual floating facility's walkway and anchor system at the shoreline.

a2 Individual Permits—Section 10 Letter of Permission (LOP) and 404 Permits

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

b Shoreline Use Permits

Shoreline use permits/licenses are required for private floating facilities of any kind, including private individual floating facilities, boat shelters, and community docks. While boats do not require shoreline use permits, they may not be beached, stowed, or otherwise left unattended on the shoreline or public land. They may, however, be moored at a permittee's floating facility. Shoreline use permits/licenses may also be issued for vegetative modification activities (underbrushing), erosion control, utility lines, improved walkways, and other specified land-based activities. Permits/licenses may be issued or renewed for a term of up to five years and contain general terms and conditions that are uniformly applicable to all permits/licenses issued (Exhibit IV). Individual site characteristics, circumstances, and/or conditions may require the statement of special terms and conditions on the permit/license. Permit processing and procedures are addressed in Exhibit V. Activities below 635' NGVD require a Department of the Army permit.

The issuance of a shoreline use permit/license does not convey any private exclusive use rights to public property. Owners of permitted facilities may take lawful precautions to protect their personal property from theft, vandalism and, in the case of floating facilities, trespass; however, they may in no way preclude the public's right to legitimate use of, or lawful access to, public lands and waters. This includes the public's right to access and use water adjacent to private floating facilities and the publicly accessible shoreline.

All applications for permits/licenses at the West Point Lake must be approved by the Operations Manager prior to beginning any work on public lands or waters. The Operations Manager will review any request for activities not specifically addressed in this plan. Should an applicant want to discuss or appeal a decision, he/she should use the process defined in Exhibit VI.

Shoreline use permits/licenses are non-transferable and become null and void upon sale or transfer of the permittee's adjacent property, sale or transfer of the permitted facility, or death of the permittee and legal spouse. Prior to a change of ownership of a permitted facility, the original permittee must notify the Project Management Office. The new owner must either apply for a shoreline use permit/license or remove the facility and restore the area to a natural condition. Prospective adjacent property owners are strongly encouraged to contact the Project Management Office for information on permitting procedures (Exhibit V).

Applicants are billed for specific permitted activities and/or permitted facilities prior to issuance of a permit/license. A fee schedule, published separately, is available from the Project Management Office upon request and is also provided with all permit/license applications. Fees are subject to change.

All shoreline use permits/licenses are issued, regulated, and controlled in accordance with the provisions of 36 CFR Part 327 and ER 405-1-12, Chapter 8.

10 Private Individual Floating Facilities

Decisions regarding the issuance of a permit/license for a private individual floating facility are based on many requirements and physical characteristics, as explained in the following paragraphs. Private individual floating facilities may not be used for human habitation, nor will a license/permit be issued for speculative purposes.

a Eligibility Requirements

One private individual floating facility may be allowed for each separate piece of property that an individual owns, provided all criteria are met regarding permit issuance. A "separate" piece of property is defined as property that has been professionally surveyed, platted by a licensed surveyor, and recorded as such in the respective County courthouse or tax office. If one structure (such as a house, other dwelling, or garage) or other supporting feature (such as a driveway, swimming pool, or porches) occupies more than one identified piece of property, the properties together are considered as one lot and meet the criteria for consideration of one permit/license. Properties maintained by corporations, partnerships, LLCs, and similar entities are required to complete the appropriate certificate of authority (Exhibit IV).

b Access Requirements

Applicants for a shoreline use permit/license must have a minimum of 20' of shared common boundary with public property and must provide a recorded deed or lease agreement (see paragraphs 15c and 19). Lease agreements must be for a five-year minimum term. Extremely shallow lots, known as "finger lots" or "flag lots," do not qualify for a permit or license even if the 20' minimum boundary frontage requirement is met. A plat of the adjacent private property, with the dimensions of ownership or lease clearly delineated, must be furnished for inclusion in the permit/license application. In situations where a public road and public land have a common boundary, adjacent landowners along the road/boundary may be considered as having access.

c Location

"Access area," for the purpose of a private individual floating facility location, is defined as the area where the adjacent private property and public property share a common boundary. Floating facilities must front this common boundary at the nearest point of shoreline as determined by a park ranger. Deviations of not more than 100' to the left or right of the nearest point of shoreline may be considered if water depth, spacing, or other site conditions are a problem. The location of proposed facilities/activities must not cause a safety hazard to the applicant/user or general public. There will be no new permitted crossovers of facilities/activities.

d Spacing

In order to provide a buffer area for boat maneuverability, water level fluctuations, and public safety, any new private individual floating facility must be located at least 50' away from other permitted facilities at lake elevation 635' NGVD. This distance is measured from the nearest point of one facility to the nearest points of the immediately adjacent facilities. In locations where two or more private individual floating facilities could be placed in the same general area but cannot meet the spacing requirement (for example, small coves or narrow lots), permits are issued on a first-come, first-served basis.

In addition, all new facilities must be placed in such a way as to have the least impact on navigation. The center one-third of the cove or channel must be left open for navigation at any location selected for a floating facility. At no time may the length of any private individual floating facility, including any moored vessel, extend into the center one-third section of the cove or channel at 635' NGVD.

e Water Depth

To be eligible for a permit, the proposed location for a private individual floating facility must have a minimum 4' water depth under the lakeside of the facility at 635' NGVD. This requirement is intended to allow for daily and seasonal water fluctuations. It is the responsibility of the permittee to take any actions necessary to protect facilities during low- and high-water periods.

f Standards

All private individual floating facilities must be designed to ensure safety and structural integrity. All new and existing permitted floating facilities are to be marked with 4" amber reflectors placed on the outside edges. In addition, the house number and street name must be posted on the floating facility with reflective lettering at least 3" in height in such a way that the address is easily visible from the water. Plans showing dimensions and detailing materials to be used must be submitted with applications. Standard floating facility examples are shown in Exhibit VII. Detailed floating facility plans must be returned to the Project Management Office at the time of application.

It is the permittee's responsibility to ensure that the floating facility is engineered and maintained to remain safe when exposed to environmental conditions (such as wind, wave

action, rain, and temperature extremes) and fluctuating lake levels. All floating facility plans are subject to approval by West Point Lake staff and must be certified by a licensed professional engineer. Approval of plans by a project management personnel does not imply that they meet engineering standards but, rather, that the dimensions and materials listed meet current West Point Lake standards.

g Structural Support System

Wood, composite decking, and/or metal are suitable materials for joists, rafters, studding, and decking of private individual floating facilities. All wood used in construction must be pressure-treated, cedar, redwood, cypress, or marine-grade. Creosote-, arsenic-, and penta-treated wood is not acceptable. Minimum size for main structure boards is 2" x 6". Decking must be 5/4" x 6" boards, 2" x 6" boards, or 3/4" marine plywood with a slip-resistant surface. (Carpeting is *not* allowed because it promotes deterioration). Metal decking (unless using bolt construction tread aluminum) is discouraged due to repair difficulties and slip hazards. If used, metal decking must have a non-slip tread.

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

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

h Walkways

Private individual floating facility walkways consist of a section or sections of walkway connecting the floating facility or shelter to the shoreline. These walkways must be hinged and floating sections.

- **Measurements**—The total length of the walkway and attached floating facility or shelter may not exceed 100' from 635' NGVD. This measurement includes the length or width of a moored vessel if it extends beyond the dimensions of the facility. The walkway and floating facility/shelter (including moored vessels) may not extend over one-third of the width of a cove or channel at 635' NGVD. Individual sections of walkways may require construction at less than maximum allowable lengths to ensure that all components of the floating facility are within permissible dimensions and guidelines. Walkway width may range from a minimum of 4' to a maximum of 6', but all sections of walkways leading to the floating facility or shelter must be a consistent width. Walkways and/or appurtenant steps may not extend landward more than 3' from 635' NGVD. Walkways/steps exceeding this limit are considered improved walkways and must meet criteria specific to improved walkways. (See Exhibit VIII.)

- **Fixed Sections**—Fixed sections are no longer authorized due to safety concerns related to fluctuating water levels (see paragraph 15c).
- **Materials**—All wood construction must be either pressure-treated, cedar, redwood, cypress, or marine-grade. Creosote-, arsenic-, or penta-treated wood is not acceptable. Minimum size for main structure boards is 2" x 6". Decking must be 5/4" x 6" boards, 2" x 6" boards, or 3/4" marine plywood with a slip-resistant surface. Deck boards must be perpendicular to the general direction of the walkway. Metal decking is discouraged due to repair difficulties and slip hazards. If used, metal decking must be a rustproof material and have a non-slip tread.

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

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

- **Handrail Requirements**—If any portion of an existing or new walkway is 4' or greater in height above land or water at any time, rigid-type safety handrails are required on each side for the entire length of that walkway component. Handrails must be 36"-48" in height with a rigid intermediate rail at 18"-24". Vertical spindles may be used in place of the intermediate rail if they are no more than 12" apart. Arched walkway diagonal bracing may be used in place of the intermediate rail if it extends from the top rail to the walkway surface between each vertical post. These requirements are illustrated in Exhibit IX.

i Flotation

All new or replacement flotation for private individual floating facilities must be constructed of materials which will not become waterlogged (not over 1.5% by volume per American Society for Testing and Materials [ASTM] standards), is resistant to damage by animals, and will not sink or contaminate the water if punctured. No metal-covered or injected-drum flotation is allowed. Foam-bead flotation billets, which are not subject to deterioration through loss of beads, and which have a minimum density of 1.2 lb/ft³, meet the above criteria and are authorized. Foam-bead flotation billets with a density of 1.0 lb/ft³ but do not otherwise meet the above criteria are Levee Safety Officer (LSO)-authorized provided they are encased in an approved protective coating which enables it to meet the specifications above. An "approved protective coating" is defined as warranted by the manufacturer for a period of at least 8 years against cracking, peeling, sloughing, and deterioration from ultraviolet rays while retaining its resiliency against ice and bumps by watercraft. Existing flotation is authorized until it has

severely deteriorated and is no longer serviceable or capable of supporting the structure, at which time it must be replaced with approved flotation.

Prior to acquiring flotation billets, permittees and applicants should obtain specifications from the manufacturer to determine whether a product conforms to these criteria. Once obtained, this information should be submitted to the area park ranger for review.

A minimum 40% of each flotation billet must be above the waterline at all times (4" for every 10" of thickness). If less than 40% of a billet is above the waterline, it is no longer considered serviceable and must be replaced with an approved type of flotation. It must be securely attached using galvanized or stainless steel straps, treated dowels, galvanized or stainless steel fasteners, or other acceptable methods.

j Size Limitations

Private individual floating facility dimensions are calculated exclusive of walkways. Less than maximum allowable sizes may be mandated by such site conditions as the width of the cove or channel and the density of development.

The minimum allowable size of a private individual floating facility is 144 ft²; sides are limited to a minimum of 10'. The maximum allowable floating facility size is 1024 ft²; sides are limited to a maximum of 32'. Boat shelter dimensions are figured on an overall basis, including boat slip and roof overhang (Exhibit VII).

k Roofs and Sundecks

If a second-level sun deck is constructed on a private individual floating facility, it must be encircled on the outer edge with a handrail that complies with the above requirements. Seating encircling a second-level sun deck must have a back rest that is a minimum of 36" above the deck.

l Walls and/or Sides

All new boat shelters must be open-sided; chain-link mesh or similar permeable material is permitted for security purposes.

m Storage Compartments

Storage compartments may not exceed a maximum floor area of 24 ft² in size and must be fastened securely to the private individual floating facility. The maximum height is 48" on an uncovered floating facility and to the roofline on a covered floating facility. Total volume may not exceed 96 ft³.

n Hardware

All hardware (including nails, screws, bolts, nuts, and washers) used on private individual floating facilities must be either galvanized or stainless steel.

o Anchoring

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

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

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

11 Community Docks

Requests for community docks require submittal of proposed dimensions, location, construction materials, and a list of lots within the development which will be assigned a slip. Each request is considered on its own merits and is approved only when the proposed facility significantly decreases the need for private individual floating facilities in a given area.

a Access Requirements

A community dock requires a community access point through a separate deeded and plotted parcel owned by the community or the community homeowner association. Community docks must meet basic access requirements detailed in Section 10b. Permits for community docks are issued to the homeowner association. A community dock agreement (Exhibit XI) must be signed and submitted with the proposed plans.

b New Subdivisions

Community docks serve the required needs with far less impact to the shoreline and will be given preference over private individual floating facilities whenever possible. Following the issuance of a community dock permit, the remaining shoreline adjacent to the affected community, but within the boundaries of the development, will be rezoned as "Protected." No new private individual floating facilities will be permitted at these locations.

c Location

"Access area," for the purpose of a community dock location, is defined as the area where the adjacent private property and public property share a common boundary. Floating facilities must front this common boundary at the nearest point of shoreline as determined by a park ranger. Deviations of not more than 100' to the left or right of the nearest point of shoreline

may be considered if water depth, spacing, or other site conditions are a problem. The location of the proposed facilities/activities must not cause a safety hazard to the applicant/user or general public. In addition, no crossover of permitted facilities/activities is allowed.

d Design

The number of slips authorized for a given community dock is determined by the number of linear feet of shoreline allocated to limited development that are immediately adjacent to the developed area. A ratio of 2 slips per 82' of shoreline is used to determine the total number of slips allowed for a community dock.

e Members

All slips in a community dock must be assigned to individual lots or designated first-come first served within the adjacent development as part of the permitting process. These slip assignments remain with the lot even upon transfer of ownership of the lot to which the slip is assigned. Individuals may not hold interest in more than one dock slip in one or more community docks. Exhibit XI must be completed and submitted to the Project Management Office prior to issuance of a community dock permit. Changes to the management of the community dock require the completion of a new community dock agreement.

f Renting Slips

Slips within a community dock may not be rented, sold, or leased either by the homeowner association or by the individual owner of the lot to which a slip is assigned.

12 Mooring Buoys

Mooring buoys are not permitted.

13 Vegetative Modification

a Limited Underbrushing

Underbrushing is defined as the selective cutting and continued control of woodland understory vegetation (such as grasses, vines, and briars) and the thinning of tree seedlings, as approved by the Operations Manager. Leaf litter is essential to erosion control and soil moisture conservation; therefore, removal of mulch is not permitted. The purpose of underbrushing permits is to provide safe access to the shoreline with minimal alteration to existing vegetation. Underbrushing permits are not issued for the creation or improvement of vistas, speculative purposes, or similar reasons.

b Vegetative Planting

A wooded shoreline is essential to the water quality and beauty of West Point Lake. USACE may plant seedlings in grassed or open areas as needed. These seedlings are marked, and their

removal by adjacent property owners is prohibited. Adjacent property owners are notified in advance of the plantings.

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

c Permit Authorization

Existing vegetative modification permits, including those for grassed or open areas, may be reissued to the permittee until a change of ownership of the permittee's adjacent private property. Upon change of ownership, a policy of reclaiming these areas by replanting and/or by natural regeneration may be implemented. The goal of this policy is to reforest these areas and bring them into compliance with current underbrushing guidelines.

All new and/or reassigned vegetative modification/underbrushing permits are subject to the following conditions.

- In order for a limited minor underbrushing permit to be approved, the area must be allocated for limited development and possess terrain that can be underbrushed without erosion or other environmental problems resulting.
- The area to be underbrushed is limited to a strip not to exceed 100' in width, extending from the public property boundary to the shoreline (635' NGVD). However, if the adjacent landowner's common boundary with public lands is less than 100', the width of allowable underbrushing is reduced at the common boundary accordingly. Site conditions and other resource considerations may warrant the reduction of allowable underbrushing dimensions. Examples of dimension configurations are shown in Exhibit XII.
- The space between trees must not exceed 10' on center. A variety of young native seedlings and saplings must be selected, established by planting, and/or allowed to become established through natural regeneration in order to maintain this spacing. These trees must be protected from the effects of underbrushing.
- Under no circumstances may any tree over 3" in diameter at ground level be cut without prior approval and marking by the area park ranger. Dead trees must also be inspected and marked by a park ranger before removal.
- Native ornamental trees and shrubs (such as dogwood, holly, redbud, wild azalea, maple, and magnolia) may not be cut regardless of size/spacing unless specifically authorized and marked by the area park ranger. Exhibit XIII provides a list of native trees and shrubs.
- Limbs may be pruned up to one third of a tree's height or 10' above ground level, whichever is less.
- The area to be underbrushed is to be identified on site by a park ranger. The remaining public property is designated as a natural area to provide buffers between private uses and to conserve wildlife habitat.

- Underbrushing is to be accomplished by using power or manual tools which allow the operator to selectively remove only the size and type of vegetation allowed under the terms of these conditions. No equipment larger than a small riding mower may be used. Mowers may not be used on slopes where the removal of grass or leaf mulch will contribute to soil erosion. A permittee may be directed by a park ranger to discontinue the use of equipment or techniques that result in indiscriminate underbrushing or environmental degradation.
- Underbrushing of public land for fire protection may be authorized where dwellings or other structures on private property are located near the property line. In order to provide a reasonable degree of fire safety, public land up to 30' from the nearest structure may be underbrushed. Underbrushing for fire protection is allowed in Protected Shoreline Areas adjacent to private structures where necessary for safety. Underbrushing must be authorized by permit.
- The use of herbicides, insecticides, or any kind of biological control chemicals is not allowed on public lands unless unusual circumstances exist. Requests may be submitted for a Specified Acts Permit (SAP) from the Project Management Office.
- Only vegetative material taken from public lands as authorized by permit may be piled and burned on public lands. Burning is restricted to the exposed lake bottom (below 635' NGVD) during periods of low water and must be in strict accordance with all applicable state and local laws. Permittees must contact the County office of the State forestry commission for permission to burn. Fires must be attended at all times and fully extinguished when not actively attended. Future State and Federal regulations may result in further restrictions or elimination of burning privileges.

Note: Permittees are encouraged to choose environmentally friendly alternatives to burning underbrushed materials, such as small wildlife brush piles, composting, or erosion control. Prior coordination and written approval from a park ranger is required.

- Permittees may plant up to ten *native* trees or plants (for example, wild azaleas, dogwoods, magnolias, and redbuds) without prior approval, provided they are located in a random fashion and do not displace or destroy vegetation that would otherwise remain when conducting valid underbrushing. Non-native plants are subject to removal from public lands. Larger-scale native planting projects require that the permittee submit a planting plan to the Project Management Office, detailing the species name, quantity, and location. This plan must be approved prior to any planting. A list of native trees and shrubs that may be planted is included as Exhibit XIII.
- In situations where underbrushing requirements are not observed, an underbrushing permit may be revoked or the underbrushing area reduced in size. Violation of underbrushing permit conditions may also be addressed under 36 CFR Part 327.19.
- Establishment of grass lawns is not allowed, nor are activities which create the appearance of private ownership and control of public lands. These activities include the placement, storage, or abandonment of unauthorized personal property on public lands. Security systems and cameras are not to be placed on public property or permitted facilities.

- Replanting and restoration may be required to correct any unauthorized vegetative modification.

14 Land-Based Facility Requirements

To minimize the adverse effects on public property, all permitted utilities must be underground and their locations designated in the permit/license. Permit/license fees are assessed for each utility line authorized. Water lines and electric lines may be placed in the same trench when installed in accordance with the requirements listed on the electrical certification forms (Exhibit XIV). The water line must be installed a minimum of 12" above the electric line and a warning tape placed immediately below its entire length to indicate that a buried electrical line lies beneath it. Utility routes are limited to 3' in width and are not issued if erosion or other environmental degradation is a probable result of installation.

a Electrical Service

Requirements for installation and use of electric service on floating facilities at West Point Lake are shown on the electrical certification forms included as Exhibit XIV. New installations of electrical service must be certified by a state licensed electrician immediately upon installation. A signed Certified Electrical Form must be provided to the Project Office as soon as possible after installation but no later than one year of license issuance. Certification of the electrical service by a licensed electrician is required at permit issuance, permit renewal, change of ownership, or at any time an inspection reveals that the service does not meet requirements.

b Water Lines and Pumps

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

Water may be withdrawn for non-potable uses by electric pump. An electric line permit is required for electric pumps on public property. Pump engines may not exceed 4 horsepower. Water pumps are associated with a floating facility and are maintained on the facility. Non-potable intakes must be attached to the floating facility with no lines installed underground below the normal pool elevation, 635' NGVD. Water withdrawal apparatuses must not interfere with or conflict with public use (such as presenting a boating hazard).

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

No restroom, shower, sink, fish cleaning station, submersible pumps, or irrigation fixtures are permitted on public property or authorized floating facilities.

c Other Utilities

Solar power generated for conversion to AC power is authorized for use only at the permitted facilities and must be certified by a licensed electrician. Solar panels must be mounted on the

floating facility. No other form of electricity generation (for example, wind or liquid fuel generators) is allowed on public lands and waters. Low-voltage, ground-level pathway solar lights are allowed without electrical certification.

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

d Improved Access

The unimproved pathway incorporated with an underbrushing permit does not convey authorization to install any structure, modify existing topography, and/or delineate the pathway. Improved walkways/steps require submittal and approval of plans prior to construction. They must be of simple design and may be constructed of crushed stone, wood chips, stepping stones, treated lumber, or similar materials. Continuous walkways, such as asphalt or poured concrete, are not permitted. Walkways/steps must follow a meandering route and be on a grade closely conforming to the topography to prevent erosion and avoid unnecessary removal of vegetation. Improved walkways must not exceed 6' in width. (See Exhibit VIII).

Footbridges may be authorized for access over drainage or other low-lying areas on public land. All footbridges 4' or greater above ground level must have a handrail with intermediate rail and must comply with the standards shown in Exhibit IX. Footbridges may not be constructed below the 635' NGVD elevation, and all wood must be pressure-treated and approved for ground contact. The maximum allowable width of a footbridge is 6'.

Permit numbers must be posted on all authorized footbridges and steps. The permit holder is responsible for posting the permit number on these structures using numbers at least 3" in height and in a visible location.

e Bank Stabilization

Limited shoreline protection activities may be approved by the Operations Manager (Nationwide Permit, 33 CFR Part 334.5a). These locally approved measures include placement of riprap and construction of retaining walls. Riprap is the preferred type of erosion control since it also provides additional aquatic habitat. Concrete block walls are not allowed. Plans for retaining walls and riprap installation, showing dimensions and construction materials, must be submitted and approved prior to construction. In some cases, one set of steps for safe access over riprap and retaining walls may be allowed. Minimum requirements for retaining walls are shown in Exhibit III. The shoreline protection area must be kept to the minimum necessary to protect and secure the floating facility's walkway and anchor system at the shoreline.

15 Grandfathered/Prior Commitments/Public Law (PL) Protection

a Grandfathered Structures, Facilities, and Activities (Project-Specific Activities)

The term “grandfathered” is used to designate a structure or activity that was authorized by a previous policy and prior permit, but which current policy no longer authorizes. Grandfathered structures that are authorized to be relocated from the originally documented site lose their protected status and must meet all current requirements for issuance of a permit/license, including materials, flotation, dimensions, the requirement for open-sided boat shelters, and all other standards now in effect. There are three categories of “grandfathered” structures/activities: Grandfathered by Public Law, Grandfathered by Other Than Public Law, and Grandfathered Underbrushing and Mowing.

b Floating Facilities and Appurtenant Structures (PL 99-662)

Congress amended this law with Public Law 99-662, which prohibits the forced removal, on or after December 31, 1989, of previously authorized floating facilities and appurtenant structures which were in place on November 17, 1986, providing that the following conditions are met:

- 1 The floating facility must be maintained in a usable and safe condition at all times.
- 2 Such property does not occasion a threat to life or property.
- 3 The holder of the permit/license is in substantial compliance with the terms of the existing permit/license.
- 4 The above law applies except where deemed necessary for public purposes, higher public use, or navigation or flood control project.

Floating facilities and appurtenant structures (such as improved walkways and utility lines) “grandfathered” by Public Law 99-662 that do not meet current requirements are permitted to remain at their original authorized locations provided they meet conditions 1, 2, and 3 in the preceding paragraph. The only exceptions to this policy are that replacement flotation must meet all current requirements, handrails must be installed as required, electrical systems must meet the current National Electrical Code standards, and the Corps (SAM Commander) does not determine that a change is necessary for public purposes.

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

c Project-Specific Commitments

Grandfathered by Public Law. Twice in the past, Congress enacted legislation “protecting” facilities meeting certain criteria defined in these public laws. Section 6 of Public Law 97-140 (adopted December 29, 1981) is applicable to Federal water resource reservoirs or lake projects administered by the Secretary of the Army acting through the USACE Chief of Engineers. It

provided that no lawfully installed floating facility or appurtenant structure could be required to be removed prior to December 31, 1989, if such property was maintained in usable condition and did not occasion a threat to life or property. Therefore, “grandfathered facilities” that were to be removed upon the sale of property or death of the original owner were allowed to remain until December 31, 1989, as long as they were maintained in a safe and usable condition.

Grandfathered By Other Than Public Law. Floating facilities and appurtenant structures authorized by permits/licenses and installed after November 17, 1986, but which are not permitted by current policy, are “grandfathered” to the original permittee. All permitted and/or licensed facilities must conform to the current standards listed herein upon change of ownership, upon the death of the permit holder and his/her spouse, or when major repairs are required. The only exceptions to this policy are that replacement flotation must meet all current requirements, handrails must be installed as required, and electrical systems must meet current National Electrical Code standards, and the Corps (SAM Commander) does not determine that a change is necessary for public purposes.

Structures “grandfathered” in other than Limited Development Areas after November 17, 1986, must be removed and the area restored to its natural condition when major repairs are necessary, upon the death of the permittee and his or her spouse, or upon the change of ownership of permittee’s private property or permitted structures.

Grandfathered Underbrushing and Mowing. Permits issued for underbrushing and/or mowing activities that are not currently authorized are “grandfathered” to the original permittee, or his or her spouse, as long as he/she owns the adjacent private property. At reissue to the current permittees, underbrushing dimensions are limited to those maintained as previously authorized. Park rangers will revise site sheets and the special conditions section of the permit to reflect the authorized dimensions at the time of reissue. Upon the death of the permittee and his or her spouse, or a change of ownership of the adjacent private property, current policy governs what activity may be authorized (see Section 8, “Shoreline Allocations, and Section 13a, “Limited Underbrushing).

Permits issued to property owners that meet access requirements via an easement will continue to qualify for a permit as long as the easement remains. However, no new permits will be issued when an easement is the basis for meeting access requirements identified in Section 10b.

Permits issued for fixed section walkways, prior to the date of this plan, will be eligible for renewal/reassignment until major repairs are required. Once major repairs are required, the permitted facility must be brought into compliance with current policy.

Permits issued with a common boundary of less than 20 feet, prior to the date of this plan, will be eligible for renewal/reassignment. If the permit is cancelled or revoked, current policy will apply.

16 Facility Maintenance

All permitted facilities must be operated, used, and maintained by the permittee in a safe condition at all times. Unsafe conditions must be corrected immediately. If deficiencies are not corrected, the

owner may be required to remove the facility at his/her expense. Permits for private floating facilities are usually reissued or reassigned when the current permit expires or when ownership of the facility is transferred, provided the owner or new owner has completed the requirements of reissuance (Exhibit V).

For both reissuance and reassignment, an inspection is performed by USACE personnel to determine whether facilities conform to standards of the Shoreline Management Plan.

a Minor Repairs

Minor repairs do not require replacement or removal of the facility from the project. In such cases, using the facility without maintenance should not be life threatening, and the facility can be repaired with minimal effort.

b Major Repairs

Major repairs may require removal of the facility from the project. In such cases, the facility usually has severe structural damage, and using it without maintenance poses an immediate hazard to life or property. Permits and licenses will not be reissued until such repairs are made and the facility no longer poses a hazard to life or property.

17 Specified Acts Permits

Specified Acts Permits (SAPs), which are issued at no charge through the Project Management Office, are required for activities that are not otherwise authorized by Shoreline Use Permits/licenses, that are one-time occurrences, and that do not require continued maintenance. SAPs are not approved if issuance would result in the likelihood of environmental damage. Permittees are responsible for any damage to public land resulting from activities authorized by SAPs. An SAP form is included in Exhibit XV.

The following are the more common activities requiring an SAP:

- Cutting or removing hazardous trees or limbs from public property which endanger life and/or property.
- Using herbicides to control kudzu or noxious plants, such as poison ivy. The use and application of herbicides must comply with the manufacturer's instructions and current State and Federal regulations.
- The temporary use of tractors, tractor-mowing implements, and other heavy equipment, which are otherwise prohibited on public lands.

a Dredging/Silt Removal

Removal of silt materials is considered on a case-by-case basis and may be authorized by a Specified Acts Permit (SAP) issued through the Project Management Office (Nationwide Permit, 33 CFR Part 334.5a). However, only one such permit is issued for a particular location.

b Erosion Control

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

c Hazardous Trees

A hazardous tree is a tree or part of a tree (such as limbs, branches, roots, or other tree vegetation) that has been identified as posing a risk of falling and causing damage to persons or personal property on public land or to persons, personal property, or real property adjacent to public land.

Permit holders must request a determination of hazard through the Project Management Office. Trees or tree parts determined to be hazardous will be marked for removal by the permit holder or his/her designee.

d Aquatic Plant Control

Adjacent property owners may treat invasive aquatic vegetation around their private individual floating facility provided they obtain a Specified Acts Permit (SAP) from the Project Management Office. An individual who is licensed by the State in the aquatic herbicide category must apply the herbicide. Permits are not required for the removal of aquatic vegetation from around private individual floating facilities provided such work is accomplished with hand tools only.

18 Shoreline Tie-Ups

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

19 Easements

No new permits will be issued when an easement is the basis for meeting access requirements identified in Section 10b.

20 Boundary Management & Encroachment/Trespass Resolution

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

Every 3-5 years USACE repaints witness trees and removes undergrowth along the entire boundary line. However, due to the number of monuments and corner pins and the possibility they may have been disturbed, USACE cannot guarantee the accuracy of these pins and monuments. If a private need for the exact location of the common public/private property line arises, the adjacent property owner (at his/her own personal expense) should use a licensed surveyor. The Project Management Office can provide data describing the public property line; however, this data is not from a recorded document. A thorough check of recorded deeds, plats, and other courthouse records is strongly recommended before surveying, purchasing, or beginning construction on lands adjacent to public property on West Point Lake. Any discrepancies identified by the survey should be brought to the attention of the Operations Manager.

Adjacent property owners are encouraged to build permanent structures at sufficient distance from the boundary line to allow for maintenance of the structure, to reduce the possibility of an encroachment by subsequent additions of decks, porches, steps, patios, or similar structures, and to reduce the possibility of causing damage to Government property. Adjacent property owners should check deed restrictions and County ordinances for any building setback requirements. If no setback requirements exist, adjacent landowners should exercise prudence to ensure that private structures and appurtenances do not extend onto or negatively affect public property.

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

Adjacent property owners may not allow their pets to impede or restrict full and free use of public lands and waters by others.

a Minor Encroachments

Minor encroachments are defined as unauthorized personal property that are mobile and moveable (not attached to a structure). Minor encroachments include, but are not limited to, swings, grills, picnic tables, benches, gardens, and hammocks.

b Major Encroachments

Major encroachments are those items of unauthorized real property that are fixed. Major encroachments include, but are not limited to, any portion of a residence, shed, barn, or building. Other examples include septic tanks, drain fields, decks, porches, outhouses, and storage buildings.

21 Special Considerations

a Project-Specific Considerations

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

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

- Golf carts and similar low-impact, off-road utility vehicles may be used by persons provided an improved walkway has been permitted and established to lessen the impact to public lands. In an effort to protect the surrounding natural resources, these vehicles are authorized to be used only on the established improved walkway surfaces (See Section 14D, "Improved Access"). Golf cart turnouts are to be installed perpendicular to walkways and are to be located near the walkway in a manner that is practical for the intended use. Turnouts may not exceed 8' x 8', and the total width of the turnout and walkway combined may not exceed 14'. A 2' flair may be installed at the intersection of the turnout and walkway. (See Exhibit VIII.)
- A Specified Acts Permit (SAP) may be issued when vehicles/equipment are needed for construction or repair of permitted items. (See Section 17, "Specified Acts Permits.")

Private individual floating facilities are permitted for the purpose of providing moorage for vessels. However, it is recognized that private individual floating facilities may serve multiple purposes and may be used for fishing, sunbathing, or other leisure activities where furniture may be desired. Outdoor or patio-type furniture may be used on upper or lower sundecks provided the furniture does not restrict or interfere with the walkways or otherwise cause a hazard. Four-foot-wide floating facility sections are not considered adequate to accommodate furniture. Due to wind and wave action, floating facility owners are required to attach furniture securely to the floating facility or remove it when not in use. Diving boards/structures of any type, sliding boards, hammocks, and playground equipment are prohibited. Additionally, items such as indoor furniture or objects that denote habitation (such as, but not limited, to couches, sinks, cabinets, appliances, satellite dishes, and permanent stereo/television systems) are prohibited. Decorative items, house and garden plants, Christmas trees and lights, signs or banners, and other similar commodities are prohibited on public land and on private facilities located on public property.

During periods of low lake levels, floating facilities may be moved to follow the receding shoreline as long as one-third of the channel remains open and the 50' spacing between facilities is maintained.

22 Shoreline Management Violations

Violations of permit conditions or unauthorized uses of public property will result in corrective or enforcement actions against the permittee. These actions may include administrative penalties such as site restoration and/or restitution to the Government.

Additional penalties include the issuance of a citation under Title 36. In consideration of the issuance of this permit, the permittee must be in compliance with 36 CFR Part 327 (including, but not limited to, Sections 14, 15, 20, and 30) and must remain in compliance with those sections. Any incidents of noncompliance with those sections or the remaining conditions will result in revocation or non-renewal of the permit or the addition of other special conditions. Non-renewal or revocation will require removal of the permitted facilities.

All Shoreline Use Permits are issued and enforced in accordance with the provisions of 36 CFR Part 327. Noncompliance with any of the terms and conditions, general or special, may result in the issuance of a violation notice requiring the payment of a fine or appearance before the US Magistrate, termination of the permit, and/or restitution.

Severe cases of destruction of public land may also result in a moratorium being placed on the affected area of public land, preventing the issuance of any new permit for a minimum period of five years.

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

The most common activities addressed as unauthorized use include the conversion of public land to private use (for example, for use as vegetable or flower gardens), clearing of trees, underbrushing without a permit, construction of roadways, and abandonment or disposal of personal property. Once a permit violation or unauthorized use is corrected, the violator may be eligible to reapply for a Shoreline Use Permit/License subject to current regulations.

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

23 Administrative Review and Appeal

Recommendations made by USACE field personnel relative to the issuance of Shoreline Use Permits/Licenses are subject to review by supervisory and managerial personnel. Permit authorizations are made by the Operations Manager or his/her designee only. Should an applicant want to discuss or appeal a decision, he/she should use the process defined in Exhibit VI.

24 Natural Resources Management

USACE and the West Point Lake Resource Management Staff are dedicated to the wise management and use of the natural resources associated with West Point Lake. Natural resources management is integrated with other project purposes within a multiple-use concept. The public is encouraged to take pride in the public lands and waters of West Point Lake by working with USACE to ensure conservation of resources for present and future generations.

Prior to World War II, this portion of the Chattahoochee River drainage basin in the southern Piedmont had a relatively large rural population that engaged in extensive row-crop farming. Much of this farming took place on unterraced, marginal lands, which caused extensive sheet and gully erosion, resulting in an annual sediment load as great as 200 tons per square mile. Portions of the area were also in pastureland, woodlands, and other uses associated with agriculture.

The resources of West Point Lake are very diverse because of these past land uses. This diversity is beneficial for the authorized uses and management philosophies. Multiple-use management philosophies are in practice at this project to enhance the recreation experience of visitors, to provide sustained forest resources, and to promote wildlife diversity. Management of the flora and fauna associated with West Point Lake is accomplished in accordance with the West Point Lake Operational Management Plan.

The ecology of West Point Lake is directly influenced by activities of adjacent property owners on public lands and waters; therefore, limitations must be placed on activities authorized on public property. These limitations allow the conditional use of public property while protecting its integrity for a variety of public interests.

Adjacent property owners are encouraged to participate in cooperative wildlife management programs with the West Point Lake Resource Management staff, who are available to assist in applying for authorization to accomplish wildlife enhancement projects and to provide information on bird nesting boxes, bird feeders, fish structures, and other beneficial practices.

West Point Lake offers public hunting through a permitted program. Contact the Project Management Office for more information regarding hunting (including required permits).

a Water Quality

Water quality has an important bearing on the recreation and the fish and wildlife potential of the project. Water quality management at West Point Lake is a challenging task because of the varied human activities in and around the reservoir and occurring in its drainage basin. The goal of this management responsibility is to promote water quality adequate for safe and healthful public use and to conserve beneficial aquatic life.

USACE strives to comply with all Federal and State water quality laws and standards as they relate to specific USACE operations. USACE personnel are also authorized to enforce provisions of 36 CFR Part 327.9, which prohibits the discharge of pollutants into project water or onto project land.

The States of Alabama and Georgia have the authority and responsibility to enforce state water quality laws. They are also authorized by the Environmental Protection Agency (EPA) to enforce portions of the Federal Clean Water Act.

b Endangered Species

The Endangered Species Act of 1973, as amended, requires all Federal agencies to conserve endangered and threatened species and utilize their authorities to accomplish the purposes of this Act: To provide a means whereby the ecosystems upon which endangered and threatened species depend may be conserved and to provide a program for the conservation of such endangered and threatened species. Section 7 of the Act states that all Federal agencies will, in consultation with and with the assistance of the Secretary of the Interior, ensure that any actions that they authorize, fund, or carry out do not jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of their habitat.

The West Point Lake Natural Resources Management staff are required to comply with Endangered Species Act. If species occur on public land which are classified as endangered or threatened in the states of Alabama and Georgia they are, therefore, protected by State law. Recovery plans are implemented upon discovery of protected species after consultation with State conservation experts and/or US Fish and Wildlife Service biologists.

Permits are not issued that conflict with the preservation of endangered or threatened species. Any existing permits which are in violation of the Endangered Species Act will be modified or rescinded. Endangered or threatened species known to range or exist in the proximity of West Point Lake as of the date of plan implementation are listed in Exhibit XVII.

25 Archaeological, Cultural and Historic Resources.

The National Historic Preservation Act of 1966, the Archaeological and Historic Preservation Act of 1974, and the Archaeological Resources Protection Act of 1979 were enacted by Congress to protect archaeological, cultural, and historic sites and to provide for the proper recovery of site data if warranted.

Determination that a previously issued permit infringes upon or impacts a site will result in its rescission. Permits that involve general or specific use or alteration of a site are not issued unless culturally cleared by the appropriate agencies. The use of metal detectors is prohibited except at designated areas. The Project Management Office can address specific concerns regarding procedures/locations for metal detector usage.

26 Conclusions

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

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

The West Point Lake Management Staff is available to address any questions concerning the Shoreline Management Plan and its policies. The West Point Lake Project Management Office is located off US Highway 29, approximately 4 miles north of West Point, GA, and provides large-scale displays of the shoreline allocation areas described in the Plan. Further information concerning the Shoreline Management program is also available from the West Point Lake Project Management Office at (706) 645-2937.

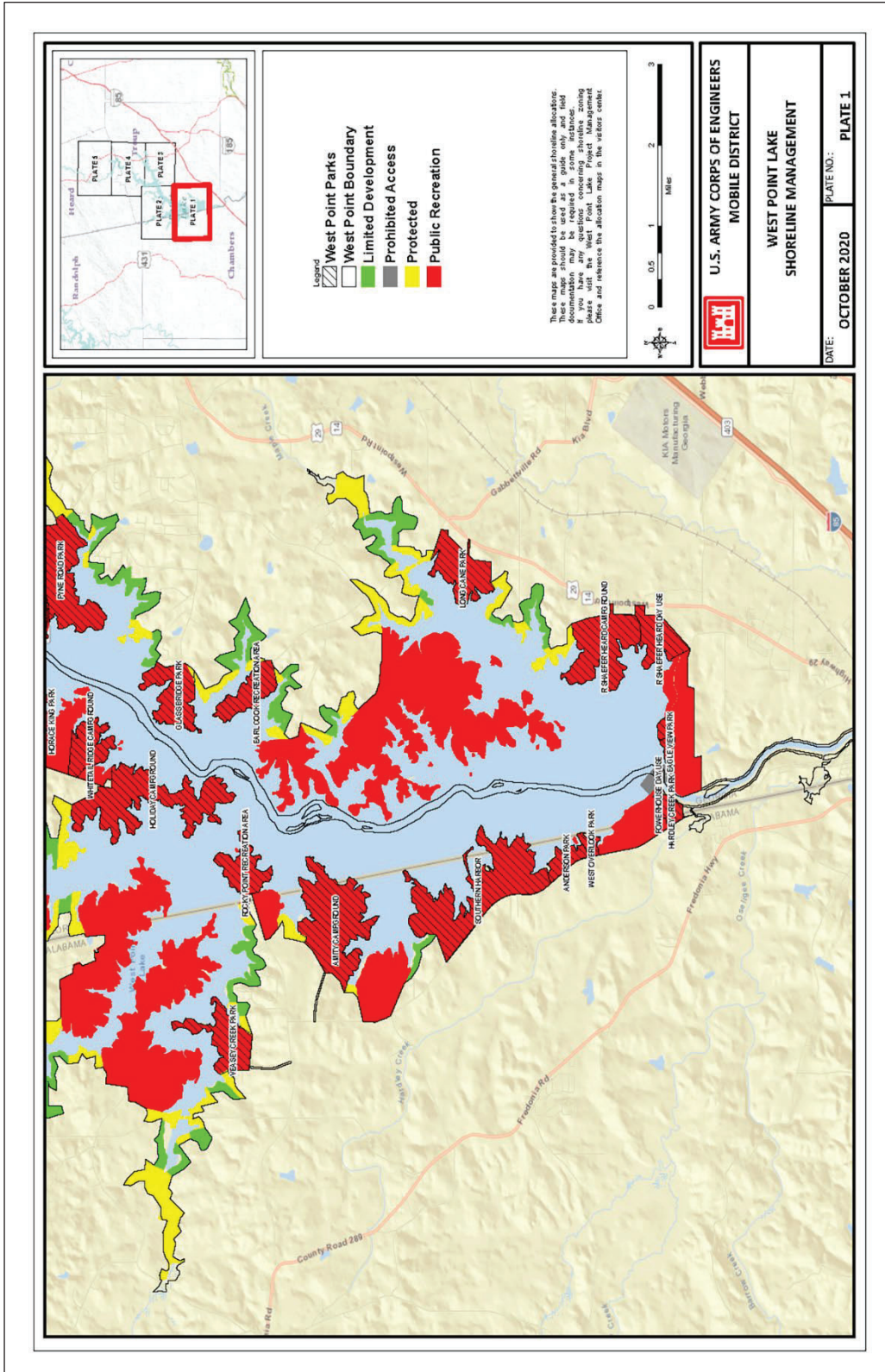
27 References

- Endangered Species Act of 1973.
- ER 405-1-12, Chapter 8, *Real Estate Handbook*.
- ER 1130-2-400, *Management of Natural Resources and Outdoor Recreation at Civil Works Water Resource Projects*.
- ER 1130-2-406, *Shoreline Management at Civil Works Projects*.
- Executive Order 11752, "Prevention, Control, and Abatement of Environmental Pollution at Federal Facilities."
- Fish and Wildlife Coordination Act of March 10, 1934, as amended.
- *Lakeshore Management Plan, West Point Lake*, September 1979.
- *Master Plan, West Point Lake*, Design Memorandum 37, August 2017.
- National Environmental Policy Act of 1969, as amended.
- Public Law 85-624, Fish and Wildlife Coordination Act, 72 Statute 563.
- Public Law 86-717, 74 Statute 817, Forest Conservation.
- Public Law 89-665, 80 Statute 915, National Historic Preservation Act of 1966, as amended.

- Public Law 96-366, Fish and Wildlife Conservation Act of 1980.
- Public Law 97-140, Section 6, Water Resources Development Act of 1981.
- Public Law 99-662, Section 1134(d), Water Resources Development Act of 1986.
- SADvR 1130-2-12, "Construction of Boat Launching Ramps by Non-Government Groups."
- SADvR 1130-2-14, "Use of Lakeshore Land and Water Areas for Private Purposes."
- SAMOM 1130-2-2, "Permitting Procedures for Private Floating Docks."
- Section 4 of the 1944 Flood Control Act, as amended (16 U.S.C. 460d).
- Section 10 of the Rivers and Harbors Act of 1899, as amended.
- Section 404 of the Clean Water Act of 1977 (33 U.S.C. 1344).
- Title 33, Code of Federal Regulations, Part 323, "Permits for Discharges of Dredged or Fill Material into Waters of the United States."
- Title 36, Code of Federal Regulations, Part 327, "Rules and Regulations Governing Public Use of Water Resources Development Projects Administered by the Chief of Engineers."
- *West Point Lake Operational Management Plan*, December 1987.
- *West Point Lake Shoreline Management Plan*, 1992.

Exhibit I—Shoreline Management Plates

Plate 1



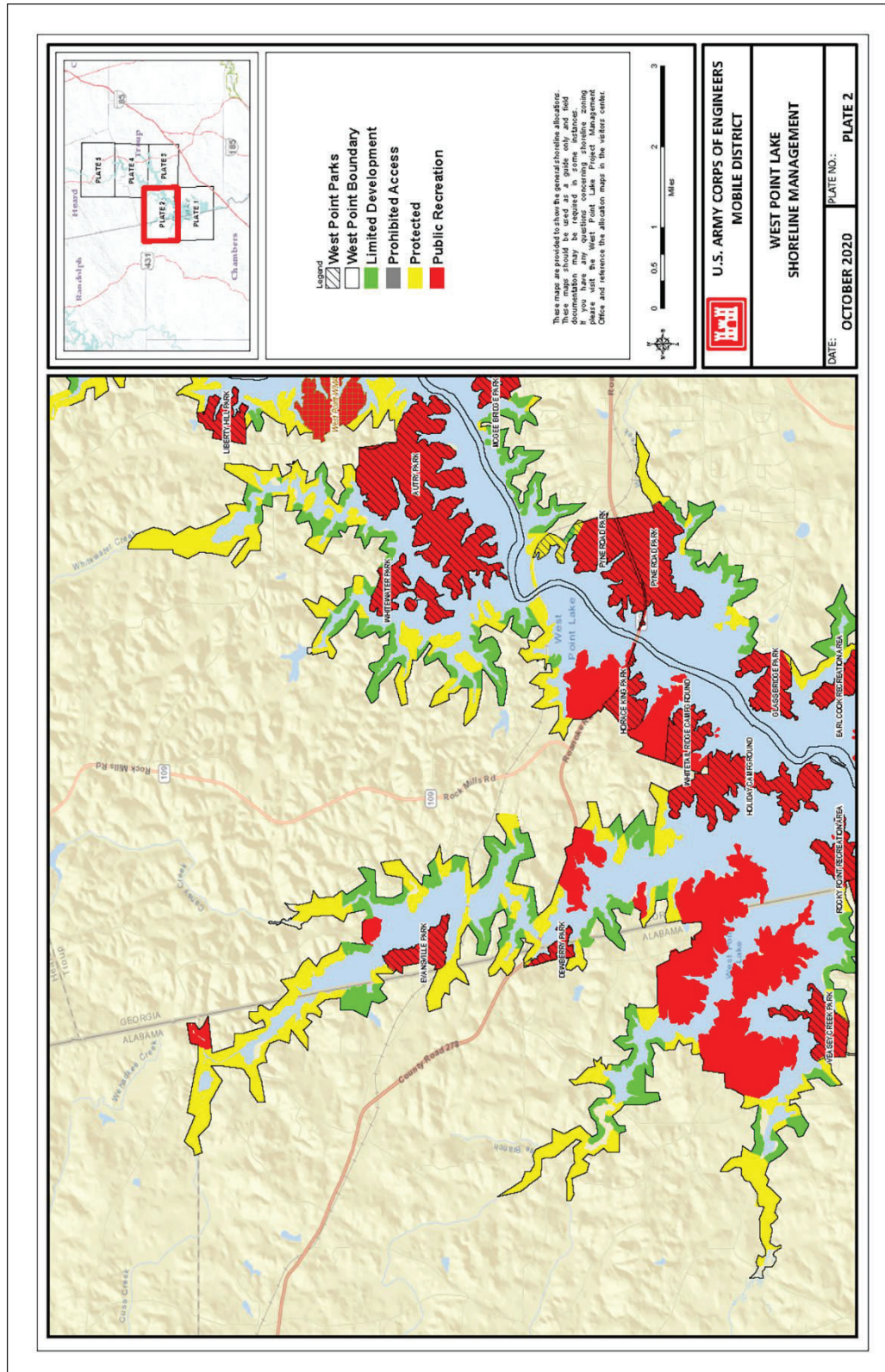


Plate 3

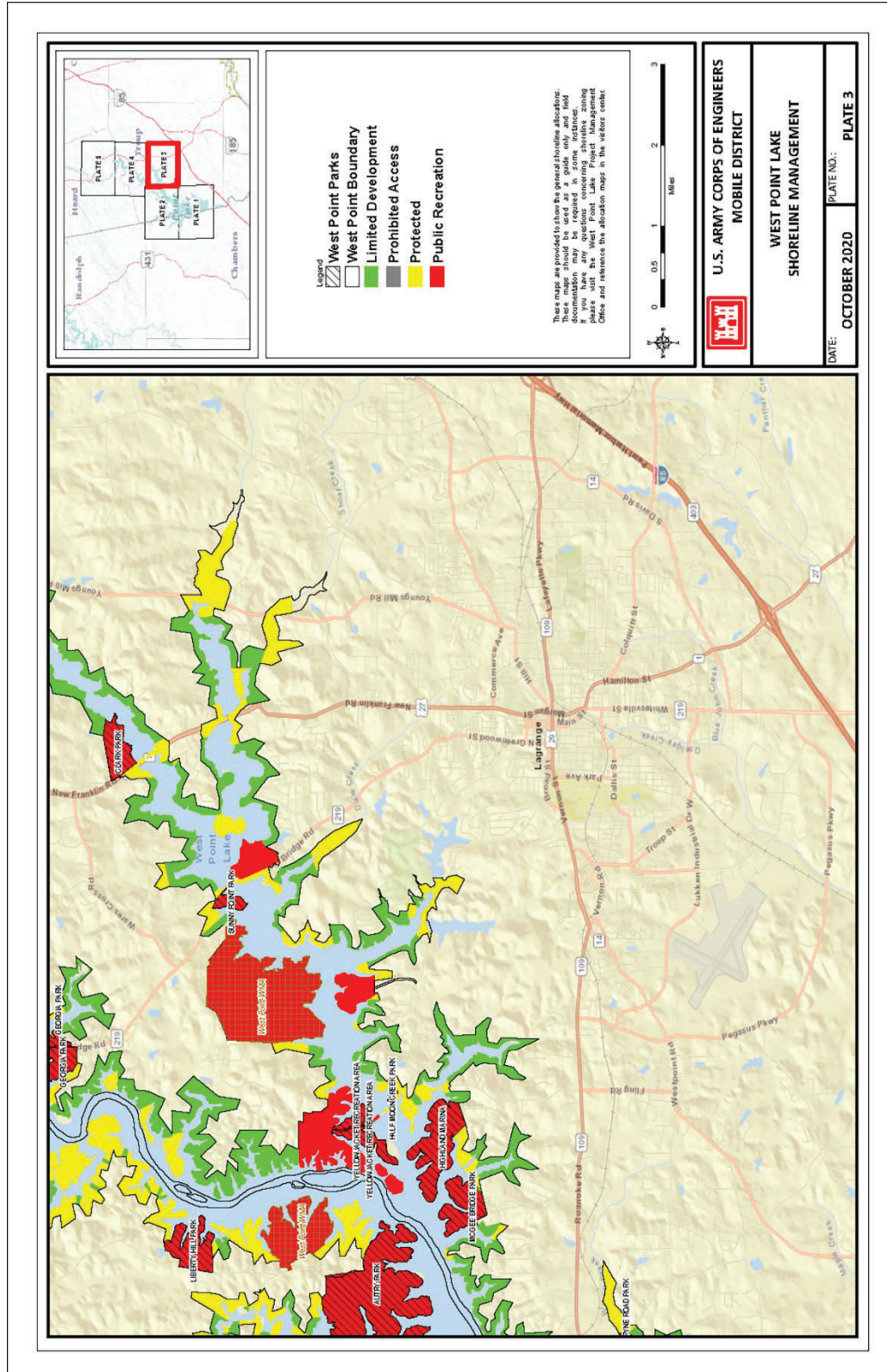


Plate 4

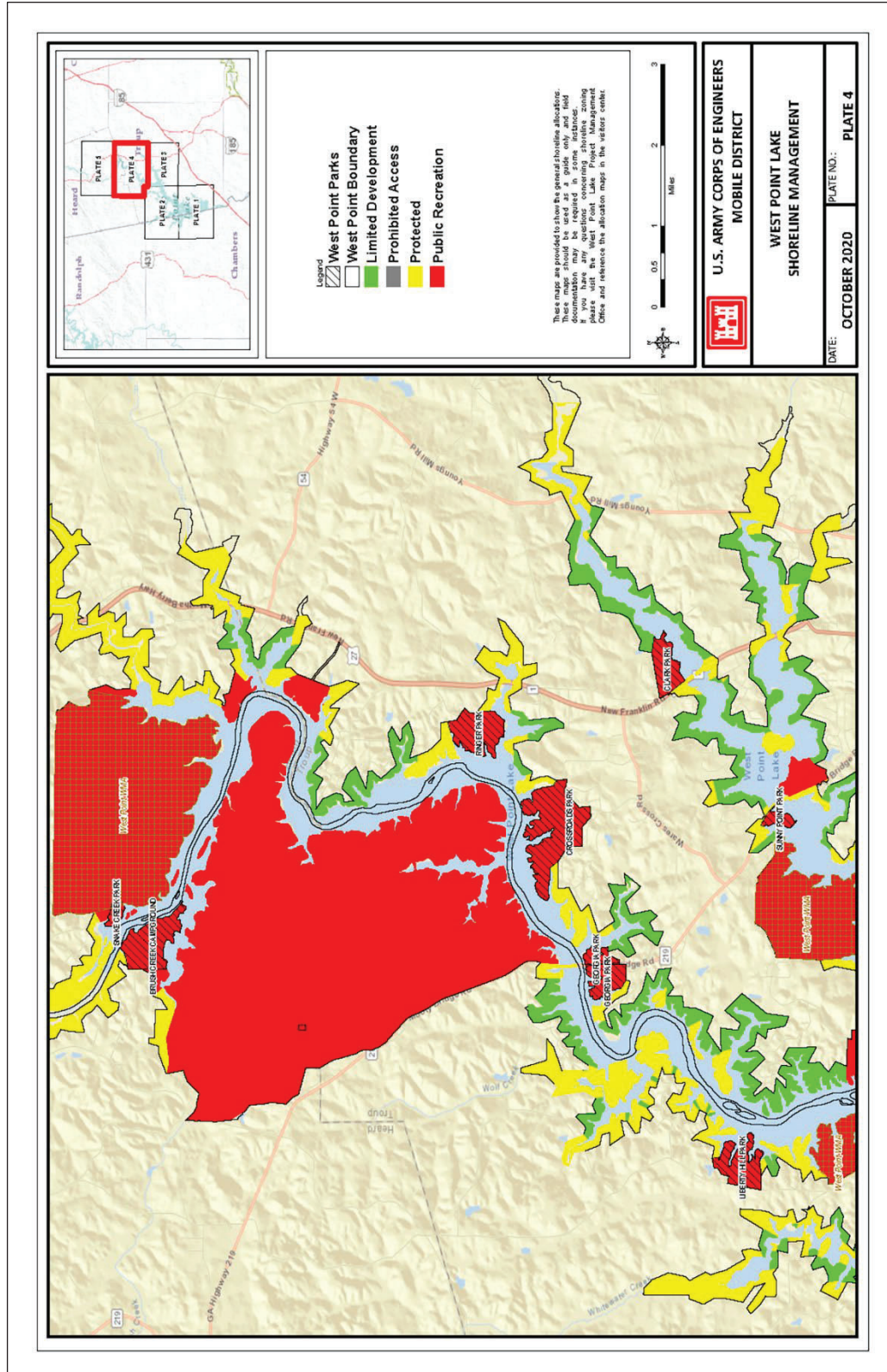


Plate 5

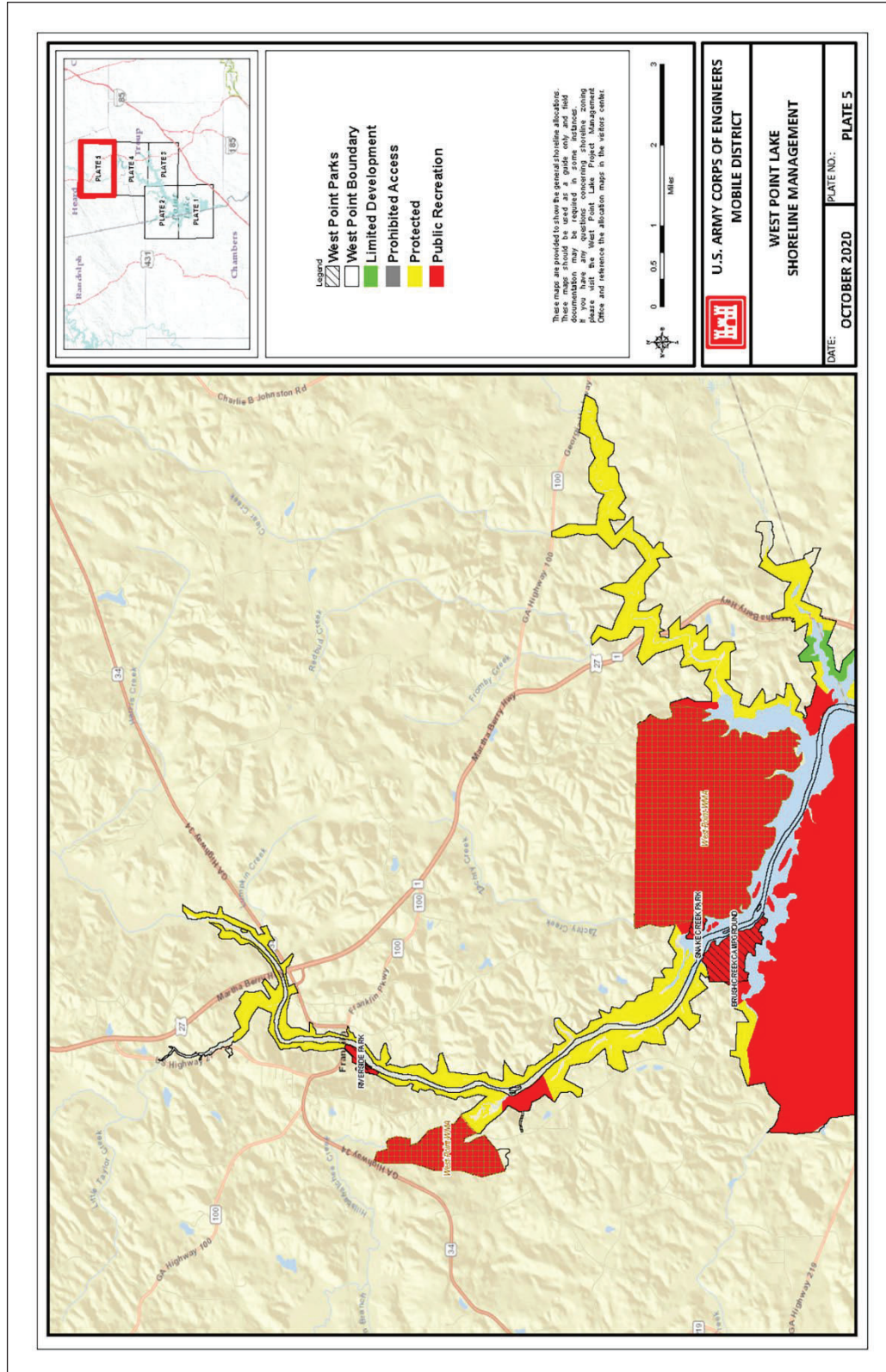
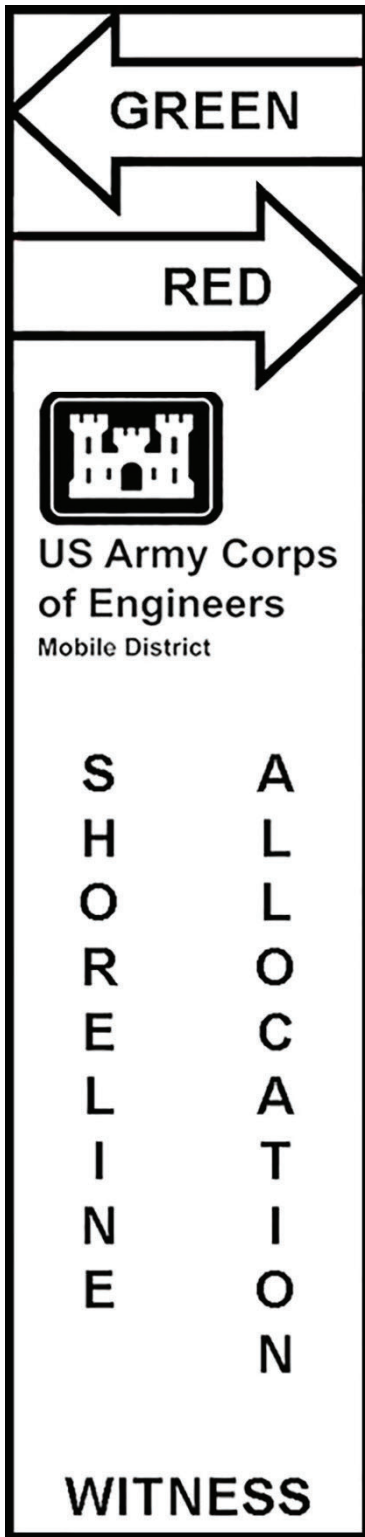
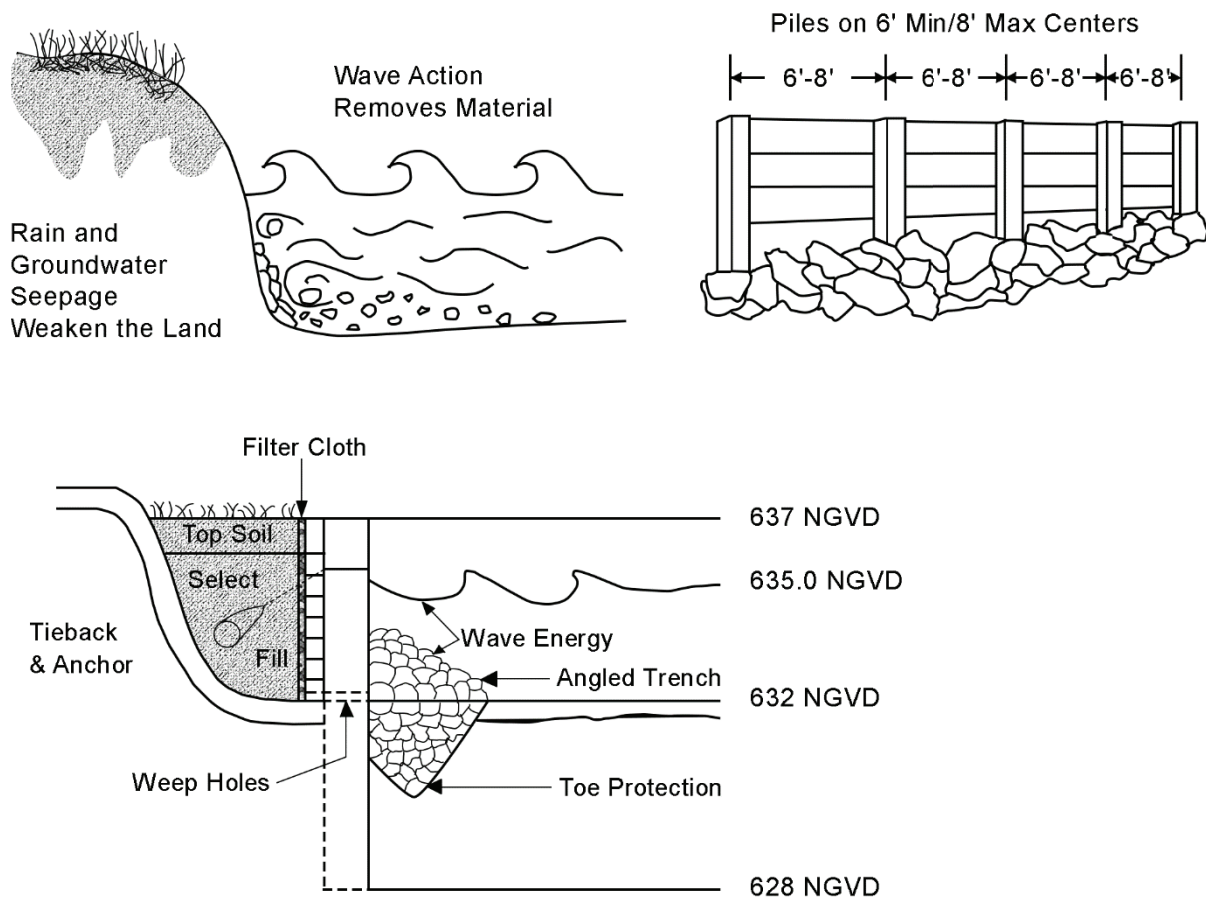


Exhibit II—Shoreline Allocation Signage



- **GREEN**—Limited Development Area
- **YELLOW**—Protected Area
- **RED**—Public Recreation Area

Exhibit III—Bulkheads and Seawalls



■

Shoreline Erosion Control

- 1 The maximum length of a shoreline protection structure is determined by nationwide permit. Shoreline protection exceeding these limits require a Section 404 permit. In most cases the shoreline protection will be permitted only to a length sufficient to protect the floating facility from erosion.
- 2 No concrete block walls are allowed.
- 3 The permittee must submit a plan showing the proposed dimensions and construction materials.

Retaining Wall Specifications—Minimum Requirements

- 1 Once a permit is issued, the wall should be completed within one year. The wall should be designed for construction at elevation 635' NGVD.
- 2 Only walls using sound engineering design and construction will be considered.
- 3 Only treated material is allowed in wood wall construction.
- 4 The minimum height is 637' NGVD; the actual height will be determined by site inspection, location, and terrain conditions.
- 5 Timber bulkhead crossmembers must be square-cut-type lumber, so that they fit flush without gaps. The lumber may be 2" x 6" or 2" x 8"; however, larger crossmembers may be required if site conditions warrant.
- 6 The wall must have toe protection a minimum of $\frac{1}{3}$ of the wall height. The type of material and gradation must be noted on the plan.
- 7 A plastic filter cloth must cover the entire wall. Plastic filter cloth must be Type III erosion-control cloth with an equivalent opening size (EOS) of 40 (or equal to 40). The filter cloth must be secured to the wall as recommended by the manufacturer.
- 8 A minimum of one weephole, approximately 2" in diameter, is required between each post. They must be located within 1' from the bottom elevation and must be covered by filter cloth.
- 9 The maximum distance between posts is 8'. Posts should be a minimum of 6" x 6" in size. The minimum post depth below bottom elevation is 4'.
- 10 Tiebacks should be of sound engineering design and construction, and compatible with the type wall proposed. Tiebacks must connect to posts. A minimum of one tieback is required every 8'.
- 11 Fill material must be clean and free of rocks, broken concrete, bricks, and other debris. The upper layer should be planted with herbaceous native vegetation immediately upon completion of wall.

Application for Bank Stabilization West Point Lake

Instructions

Please complete the information requested below on the application form and submit with a completed plan (see pages 3 – 4). Additional information related to the proposed project may also be submitted with the application, e.g., pictures, additional drawings, etc. Submit application to:

West Point Project Management Office
5000 Resource Management Drive
West Point, GA 31833

If approved, a signed copy of this application/permit will be returned to you for your records. **No activities may begin prior to receiving an approved permit and notifying ranger of start date.**

APPLICANT: _____ HOME PHONE: _____

ADDRESS: _____ WORK PHONE: _____

SHORELINE USE PERMIT NO. (if applicable): _____

Permit Conditions

1. Rip rap and retaining walls will be authorized at the discretion of the West Point Project Operations Manager.
2. Rip rap and retaining walls will follow the existing shoreline, installed uniformly with the natural contour of the bank. Site preparation will be limited to that necessary to obtain proper slope and stability for the structure, with every effort being made not to damage shoreline vegetation. Disturbed slopes landward of the structure will be stabilized within 15 days of the completion of the work. No grass lawns may be established to accomplish this stabilization. Any tree removal associated with the project must be approved by the West Point Project Operations Manager, and is limited to that necessary to obtain access to the work site. Use of equipment on public land is restricted to a single ingress/egress pathway and the immediate bank stabilization work site.
3. Rip rap and retaining wall projects are for the purpose of preventing erosion near the anchor points of permitted shoreline facilities and must be installed in accordance with approved site plans submitted by the applicant. In addition, all shoreline protection must be installed in accordance with Alabama and/or Georgia regional permits as described by the USACE Regulatory division for the respective State.
4. Rip rap must be quarry run stone with an average size necessary to meet site requirements as specified on approved plans. Broken cinder blocks, bricks, asphalt, or other debris is not authorized. Materials used for retaining walls must be specifically designed for erosion control purposes. Mortared walls or creosote crossties will not be authorized. Suitable filter blankets should be used where appropriate on both rip rap and retaining walls.
5. Amount of materials installed (wall material, footings, and backfill combined) will not exceed an average of 1 cubic yard per linear foot below 635' mean sea level (msl) elevation. No material will be placed in excess of the minimum required for erosion protection or for the purpose of land reclamation. In no instance will materials be placed below 630' msl elevation.



6. Backfill must be clean earthen fill. No debris or trash will be allowed. Gravel is allowed with retaining walls per manufacturer's recommendations; however, top layer must be earthen fill to allow for regeneration of native trees/understory. The establishment of grass lawns or sandy beaches in the disturbed area is prohibited.
7. Crossover steps are limited to 6 feet in width and will directly access the base of the rip rap or retaining wall structure. In no case will piers be approved beyond the top of the existing bank, rip rap or retaining wall.
8. Retaining walls must be installed according manufacturer's recommendations, if applicable. The Corps of Engineers reserves the right to require engineer certification for walls of unique design.
9. No material will be placed in special aquatic sites, including wetlands nor will it be placed so as to impair surface water flow into and out of any wetland area. Wetlands are defined as areas inundated or saturated by surface or ground water at a frequency and duration sufficient to support aquatic vegetation.
10. In any materials or sites of cultural, historical or archeological significance are discovered within the project boundaries at any time preceding or during construction, the West Point Project Operations Manager's Office will be immediately notified and work will cease until further notice.
11. Work is not authorized within the known habitat of threatened or endangered species as identified under the Endangered Species Act.
12. Rip rap/retaining wall projects do not convey any private exclusive use rights to the permittee. Other permitted facilities may be authorized on or adjacent to the rip rap/retaining wall.
13. Dependant on location, some rip rap/retaining wall projects may not be authorized during the fish spawning season as defined by the West Point Project Operations Manager.
14. The West Point Lake Shoreline Managment Ranger Staff must be notified of the project start date in advance to allow for progress inspections.
15. Violations of the terms and conditions of this permit, and/or damages to public land, may result in the issuance of a Violation Notice requiring the payment of a fine or appearance before the U.S. Magistrate, restitution, and/or revocation of part or all of the individuals' Shoreline Use Permit.

Applicants Signature: _____

Contractor Name (if applicable): _____

Contractor Address: _____

Contractor Work Phone: _____

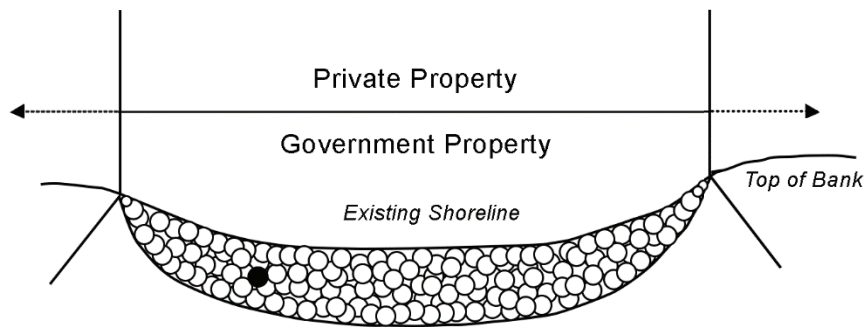
For Office Use Only:

Date Approved : _____

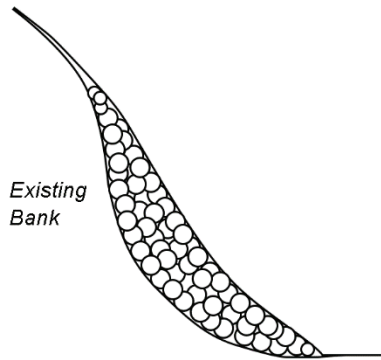
West Point Lake Ranger: _____ Telephone 706-645-2937

Proposed Riprap West Point Lake Plan View

Name: _____ Permit #: _____
 Lot #: _____ Subdivision: _____
 Tract #: _____ County: _____ State: _____



Length of Structure: _____ Linear Feet



_____ Elevation—Top of Structure

_____ Normal Pool Elevation

_____ Thickness of Riprap

_____ Elevation—Base of Structure

Amount, Type, and Size of Riprap _____

Method and Equipment Used: _____

Type and Size of Crossover Steps: _____

Name of Ramp to be Used, if applicable: _____

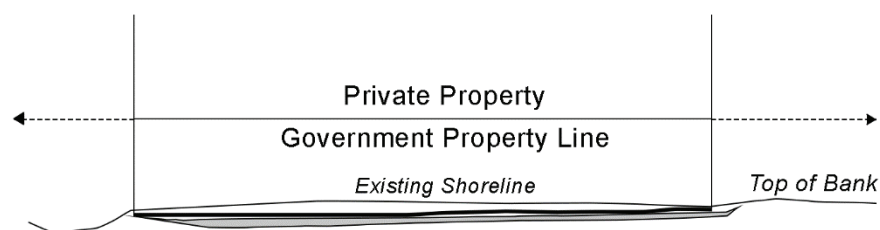


Proposed Retaining Wall West Point Lake Plan View

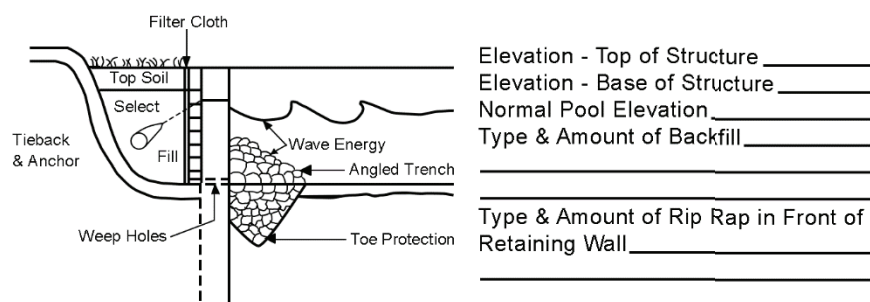
Name: _____ Permit #: _____

Lot #: _____ Subdivision: _____

Tract #: _____ County: _____ State: _____



Length of Structure: _____ Linear Feet



Amount, Type, and Size of Retaining Wall Materials: _____

Method and Equipment Used: _____

Type and Size of Crossover Steps: _____

Name of Ramp to be Used, if applicable: _____

**Attach any manufacturer's specifications as well as any other pertinent information, if applicable.*



Exhibit IV—Shoreline Use Permit, License, and Certificates





US Army Corps
of Engineers
West Point Lake

Permit for Shoreline Use

Shoreline Use Permit Number: _____

Issued: _____ Expires: _____

PERMITTEE

PERMIT LOCATION

County: _____
Subdivision: _____
Lot Number: _____
Address: _____

Allocation: _____

Parcel ID: _____

Emergency Contact / Second Responsible Party:

Shoreline Use License Number: _____

Shoreline Ranger: _____

PERMITTED ITEMS

SPECIAL CONDITIONS

ACCEPTANCE

I hereby agree to the above described use of public property or that which is authorized by the U.S. Army Corps of Engineers and agree to abide by all regulations, policies and conditions that govern such privileges. I have read and understand the applicable Shoreline Management Plan, the Privacy Act Notice and all 35 Permit Conditions and hereby accept this instrument with all of the conditions thereof.

Date

Signature of Permittee

This permit is hereby granted by delegation of the Secretary of the Army under authority conferred on him by the Act of Congress approved 31 August 1951 (USC 140). The applicant is hereby authorized to perform that which is found in attached Exhibits of this permit.

Date of Authorization

Project Operations Manager or Designee



PERMIT CONDITIONS

i. Permits may be revoked by the District Commander when it is determined that the public interest requires such revocation or when the permittee fails to comply with terms and conditions of the permit, the Shoreline Management Plan, or of this regulation. (Appendix A to § 327.30, paragraph 3. Permit Revocation)

1. This permit is granted solely to the applicant for the purpose described on the attached permit.
2. The permittee agrees to and does hereby release and agree to save and hold the Government harmless from any and all causes of action, suits at law or equity, or claims or demands or from any liability of any nature whatsoever for or on account of any damages to persons or property, including a permitted facility, growing out of the ownership, construction, operation or maintenance by the permittee of the permitted facilities and/or activities.
3. Ownership, construction, operation, use and maintenance of a permitted facility are subject to the Government's navigation servitude.
4. No attempt shall be made by the permittee to forbid the full and free use by the public of all public waters and/or lands at or adjacent to the permitted facility or to unreasonably interfere with any authorized project purposes, including navigation in connection with the ownership, construction, operation or maintenance of a permitted facility and/or activity.
5. The permittee agrees that if subsequent operations by the Government require an alteration in the location of a permitted facility and/or activity or if in the opinion of the district commander a permitted facility and/or activity shall cause unreasonable obstruction to navigation or that the public interest so requires, the permittee shall be required, upon written notice from the district commander to remove, alter, or relocate the permitted facility, without expense to the Government.
6. The Government shall in no case be liable for any damage or injury to a permitted facility which may be caused by or result from subsequent operations undertaken by the Government for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage. This includes any damage that may occur to private property if a facility is removed for noncompliance with the conditions of the permit.
7. Ownership, construction, operation, use and maintenance of a permitted facility and/or activity are subject to all applicable Federal, state and local laws and regulations. Failure to abide by these applicable laws and regulations may be cause for revocation of the permit.
8. This permit does not convey any property rights either in real estate or material; and does not authorize any injury to private property or invasion of private rights or any infringement of Federal, state or local laws or regulations, nor does it obviate the necessity of obtaining state or local assent required by law for the construction, operation, use or maintenance of a permitted facility and/or activity.
9. The permittee agrees to construct the facility within the time limit agreed to on the permit issuance date. The permit shall become null and void if construction is not completed within that period. Further, the permittee agrees to operate and maintain any permitted facility and/or activity in a manner so as to provide safety, minimize any adverse impact on fish and wildlife habitat, natural, environmental, or cultural resources values and in a manner so as to minimize the degradation of water quality.
10. The permittee shall remove a permitted facility within 30 days, at his/her expense, and restore the waterway and lands to a condition accepted by the resource manager upon termination or revocation of this permit or if the permittee ceases to use, operate or maintain a permitted facility and/or activity. If the permittee fails to comply to the satisfaction of the resource manager, the district commander may remove the facility by contract or otherwise and the permittee agrees to pay all costs incurred thereof.
11. The use of a permitted boat dock facility shall be limited to the mooring of the permittee's vessel or watercraft and the storage, in enclosed locker facilities, of his/her gear essential to the operation of such vessel or watercraft.
12. Neither a permitted facility nor any houseboat, cabin cruiser, or other vessel moored thereto shall be used as a place of habitation or as a full or part-time residence or in any manner which gives the appearance of converting the public property, on which the facility is located, to private use.
13. Facilities granted under this permit will not be leased, rented, sub-let or provided to others by any means of engaging in commercial activity(s) by the permittee or his/her agent for monetary gain. This does not preclude the permittee from selling total ownership to the facility.
14. Floats and the flotation material for all docks and boat mooring buoys shall be fabricated of materials manufactured for marine use. The float and its flotation material shall be 100% warranted for a minimum of 8 years against sinking, becoming waterlogged, cracking, peeling, fragmenting, or losing beads. All floats shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. All floats and the flotation material used in them shall be fire resistant. Any float which is within 40 feet of a line carrying fuel shall be 100% impervious to water and fuel. The use of new or recycled plastic or metal drums or non-compartmentalized air containers for encasement of floats is prohibited. Existing floats are authorized until it or its flotation material is no longer serviceable, at which time it shall be replaced with a float that meets the conditions listed above. For any floats installed after the effective date of this specification, repair or replacement shall be required when it or its flotation material no longer performs its designated function or it fails to meet the specifications for which it was originally warranted.
15. Permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. The resource manager will notify the permittee of any deficiencies and together establish a schedule for their correction. No deviation or changes from approved plans will be allowed without prior written approval of the resource manager.
16. Floating facilities shall be securely attached to the shore in accordance with the approved plans by means of moorings which do not obstruct general public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited.
17. The permit display tag shall be posted on the permitted facility and/or on the land areas covered by the permit so that it can be visually checked with ease in accordance with instructions provided by the resource manager.
18. No vegetation other than that prescribed in the permit will be damaged, destroyed or removed. No vegetation of any kind will be planted, other than that specifically prescribed in the permit.



19. No change in land form such as grading, excavation or filling is authorized by this permit.

20. This permit is non-transferable. Upon the sale or other transfer of the permitted facility or the death of the permittee and his/her legal spouse, this permit is null and void.

21. By 30 days written notice, mailed to the permittee by certified letter, the district commander may revoke this permit whenever the public interest necessitates such revocation or when the permittee fails to comply with any permit condition or term. The revocation notice shall specify the reasons for such action. If the permittee requests a hearing in writing to the district commander through the resource manager within the 30-day period, the district commander shall grant such hearing at the earliest opportunity. In no event shall the hearing date be more than 60 days from the date of the hearing request. Following the hearing, a written decision will be rendered and a copy mailed to the permittee by certified letter.

22. Notwithstanding the conditions cited in condition 21 above, if in the opinion of the district commander, emergency circumstances dictate otherwise, the district commander may summarily revoke the permit.

23. When vegetation modification on these lands is accomplished by chemical means, the program will be in accordance with appropriate Federal, state and local laws, rules and regulations.

24. The resource manager or his/her authorized representative shall be allowed to cross the permittee's property, as necessary to inspect facilities and/or activities under permit.

25. When vegetation modification is allowed, the permittee will delineate the government property line in a clear, but unobtrusive manner approved by the resource manager and in accordance with the project Shoreline Management Plan.

26. If the ownership of a permitted facility is sold or transferred, the permittee or new owner will notify the Resource Manager of the action prior to finalization. The new owner must apply for a Shoreline Use Permit within 14 days or remove the facility and restore the use area within 30 days from the date of ownership transfer.

27. If permitted facilities are removed for storage or extensive maintenance, the resource manager may require all portions of the facility be removed from public property.

ii. In accordance with Appendix A to § 327.30—Guidelines for Granting Shoreline Use Permits, 2. Applications for Shoreline Use Permits, paragraph c.(9), the District Commander has placed the following Special Conditions on this permit:

28. The permittee agrees to complete the construction and installation of the facility within 1 year of the permit/license issue date, or by the deadline stated in the Additional Special Conditions of the permit which shall take precedence. The permittee of a community dock agrees to construct/install the facility (facilities) within the time limit agreed to on the permit issue date, as stated in the Additional Special Conditions.

29. The effective date stated in Condition 14 shall be July 1, 19

30. Permitted facilities are directly linked to a specific tract/parcel or adjacent private property (or a private existing permitted facility in a leased area) which met the requisites under the Shoreline Management Plan. Permitted facilities cannot be relocated from these authorized (linked) locations to different locations on the subject lake without prior approval of the Operations Manager.

31. Failure of the original owner and/or new owner to notify the Project Office when the ownership of permitted facilities/activities is sold or transferred does not negate the responsibility for payment of applicable fees during the period the facilities/activities should have been covered by a permit. When permits are not issued in a timely manner following a change of ownership, the start date for the permit will be backdated to the effective date of the sale or other transfer of ownership and all applicable fees will be collected for the period. The permit expiration date will be five years from the effective start date.

32. Diving boards, platforms, or similar structures are prohibited. Suspended boat hoists are prohibited without the expressed written authorization of the Operations Project Manager.

33. All electrical utilities must meet or exceed the National Electric Code standards for Wet Locations, Marinas and Boatyards (Article 555) and any additional U.S. Army Corps of Engineers requirements. All electrical utilities must be certified by a licensed electrician at installation and periodically thereafter as required by Additional Special Conditions or as specified in the Shoreline Management Plan.

34. All activities/facilities must conform to authorization shown in attached Exhibits and the policies of the project Shoreline Management Plan. A copy of the Shoreline Management Plan is available at the Operations Project Manager's Office.

35. Activities and facilities not expressly authorized by any attached Exhibits, Specified Act Permits, or by CFR Title 36 are prohibited.

36. "Additional Special Conditions" specific to this permit may also apply. Please refer to the Exhibits referenced below.

Exhibit	Description

PRIVACY ACT NOTICE

AUTHORITY

Section 4, 1944 Flood Control Act as amended, PL 87-874.

PURPOSES

These applications are used in considering the issuance of permits for floating facilities and landscaping by private landowners adjacent to U.S. Army Corps of Engineers Lakes. This information is collected and maintained at project offices and is used as a basis for issuing permits. Needed for description of facility to assure conditions of permit requirement are met. To provide auditing information for programs with financial involvement. To provide information for contact of responsible party available on short notice in case of emergency.

ROUTINE USES

This information may be disclosed to Department of Justice or other Federal, state, or local law enforcement agencies charged with the responsibility of investigating or prosecuting violations or potential violations of law or enforcing or implementing statutes, rules, regulations, or orders issued pursuant thereto; or to a Congressional office in response to an inquiry made at the applicant's request. The applicant's name and address are considered public information and may be disclosed in response to a Freedom of Information Act request.

EFFECTS OF NONDISCLOSURE

Disclosure of information is voluntary. Failure to provide information will preclude issuance of a permit.



License No. _____
Permit No. _____

DEPARTMENT OF THE ARMY LICENSE
West Point Lake
West Point, Troup County, GA

THE SECRETARY OF THE ARMY (hereinafter the "Secretary"), under authority of the general administrative authority of the Secretary, hereby grants to _____ on Tract: _____ (hereinafter the "grantee"), a license for Shoreline Use, over, across, in and upon lands of the United States, as identified on EXHIBIT "A", attached hereto and made a part hereof (hereinafter the "premises").

THIS LICENSE is granted subject to the following conditions.

1. TERM

This license is granted for a term of 5 years, beginning _____ and ending _____, but revocable at will by the Secretary.

2. CONSIDERATION

The grantee shall pay in advance to the United States the amount of _____ in full for the term hereof, payable to the order of the Finance and Accounting Officer, Mobile District and delivered to West Point Lake / 500 Resource Management Dr, West Point, Troup County, GA 31833.

3. ADMINISTRATIVE FEE

The grantee shall pay in advance to the United States an administrative fee in the amount of _____ in full for the term hereof, payable to the order of the Finance and Accounting Officer, Mobile District and delivered to West Point Lake / 500 Resource Management Dr, West Point, Troup County, GA 31833.

4. NOTICES

All correspondence and notices to be given pursuant to this license shall be addressed, if to the grantee, to _____; and if to the United States, to the District Engineer, Attention: Real Estate Contracting Officer, West Point Lake, 500 Resource Management Dr, West Point, Troup County, GA 31833; or as may from time to time otherwise be directed by the parties. Notice shall be deemed to have been duly given if and when enclosed in a properly sealed envelope or wrapper, addressed as aforesaid, and received at this address via hand-delivery or with postage prepaid and received via mail, including by the United States Postal Service or a commercial carrier.

5. AUTHORIZED REPRESENTATIVES

Except as otherwise specifically provided, any reference herein to "Secretary", "District Engineer", or "said officer" shall include their duly authorized representatives. Any reference to "grantee" shall include any duly authorized representatives. Any reference to "Operations Manager" shall be interpreted to be the Corps of Engineers Operations Manager, West Point Lake, GA, and include his/her duly authorized representatives.

6. SUPERVISION BY THE REAL ESTATE CONTRACTING OFFICER

The use and occupancy of the premises shall be subject to the general supervision and approval of the Real Estate Contracting Officer (hereinafter "said officer"), and subject to such rules and regulations as may be prescribed from time to time by said officer.

7. APPLICABLE LAWS AND REGULATIONS

The grantee shall comply with all applicable Federal, state, county and municipal laws, ordinances and regulations wherein the premises are located.

8. AUTHORIZED USES

Specific construction guidelines are identified in the West Point Lake Shoreline Management Plan dated _____ and will be followed without deviation. Receipt of a hard copy of this Shoreline Management Plan or electronic copy that the licensee agrees to obtain via the provided internet address is acknowledged. This license authorizes the following activities and/or placement of the following facilities on public land:

- _____
- _____
- _____
- _____

9. CONDITIONAL USE BY GRANTEE

This license does not convey any property rights and does not negate the need to comply with any applicable legal requirement to obtain any state or local approvals (e.g., permits) for the construction, operation, use and/or maintenance of the authorized activities and/or facilities set forth in Condition 8. The exercise of the privileges herein granted shall be:

- a. without cost or expense to the United States;
- b. subject to the right of the United States to improve, use, or maintain the premises;
- c. subject to other outgrants of the United States on the premises; and
- d. personal to the grantee, and this license, or any interest therein, may not be transferred or assigned.

10. CONDITION OF PREMISES

The grantee acknowledges that it has inspected the premises, knows its condition, and understands that the same is granted without any representations or warranties whatsoever and without any obligation on the part of the United States.

11. PROTECTION OF PROPERTY

The grantee shall keep the premises in good order and in a clean, safe condition by and at the expense of the grantee. The grantee shall be responsible for any damage that may be caused to the property of the United States by the activities of the grantee under this license, and shall exercise due diligence in the protection of all property located on the premises against fire or damage from any and all other causes. Any property of the United States that is damaged or destroyed by the grantee incident to the exercise of the privileges herein granted shall be promptly repaired or replaced by the grantee to a condition satisfactory to said officer, or at the election of said officer, reimbursement made therefore by the grantee in an amount necessary to restore or replace the property to a condition satisfactory to said officer.

12. INDEMNITY

The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incidental to the exercise of the privileges herein granted, or for damages to the property of the grantee, or for damages to the property or injuries to the person of the grantee's officers, agents, or employees or others who may be on the premises at their invitation or the invitation of any one of them, and the grantee shall hold the United States harmless from any and all such claims, not including damages due to the fault or negligence of the United States or its contractors.

License No. _____
Permit No. _____

13. RESTORATION

On or before the expiration of this license or its termination by the grantee, the grantee shall vacate the premises, remove the property of the grantee, and restore the premises to a condition satisfactory to said officer. If, however, this license is revoked or terminated by the Secretary, the grantee, and restore the premises to a condition satisfactory to said officer. If, however, this license is revoked or terminated by the Secretary, the grantee, and restore the premises to a condition satisfactory to said officer. If, however, this license is revoked or terminated by the Secretary, the grantee, and restore the premises to a condition satisfactory to said officer. If, however, this license is revoked or terminated by the Secretary, the grantee, and restore the premises to a condition satisfactory to said officer.

14. PROHIBITION ON INHIBITING ACCESS

The grantee shall not take any action that inhibits any member of the public from full and free use of all navigable waters and/or public lands that are at or adjacent to the authorized activity(ies) and/or facility(ies), which are specified in Condition 8.

15. TERMINATION

The grantee may terminate this license at any time by giving the District Engineer at least ten (10) days written notice, provided that no refund by the United States of any consideration and/or administrative fee previously paid shall be made.

The Secretary may revoke this license for cause or terminate this license at will.

16. ENVIRONMENTAL PROTECTION

a. Within the limits of their respective legal powers, the parties to this license shall protect the premises against pollution of its air, ground and water. The grantee shall comply with any laws, regulations, conditions, or instructions affecting the activity(ies) and/or facility(ies) hereby authorized if and when issued by the Environmental Protection Agency, or any Federal, state, interstate or local governmental agency having jurisdiction to abate or prevent pollution. The disposal of any toxic or hazardous substances within the premises is specifically prohibited. Such regulations, conditions, or instructions in effect or prescribed by the Environmental Protection Agency or any Federal, state, interstate or local governmental agency are hereby made a condition of this license. The grantee shall not discharge waste or effluent from the premises in such a manner that the discharge will contaminate the premises, streams or other bodies of water, or otherwise become a public nuisance.

b. The grantee will use all reasonable means available to protect the environment and natural resources, and where damage nonetheless occurs from the grantee's activities, the grantee shall be liable to restore the damaged resources.

c. The grantee must obtain approval in writing from said officer before any pesticides or herbicides are applied to the premises.

17. HISTORIC PRESERVATION

The grantee shall not remove or disturb, or cause or allow to be removed or disturbed, any historical, archaeological, architectural or other cultural artifacts, relics, remains or objects of antiquity. In the event such items are discovered on the premises, the grantee shall immediately notify said officer and protect the site and the material from further disturbance until said officer gives clearance to proceed.

18. DISCLAIMER

This license is effective only insofar as the rights of the United States in the premises are concerned; and the grantee shall obtain any permit or license which may be required by Federal, state, or local law in connection with the use of the premises. It is understood that the granting of this license does not preclude the necessity of obtaining a Department of the Army permit for activities which involve the discharge of dredge or fill material or the placement of fixed structures in the waters of the United States, pursuant to the provisions of Section 10 of the Rivers and Harbors Act of 3 March 1899 (33 U.S.C. § 403), and Section 404 of the Clean Water Act (33 U.S.C. § 1344).

19. APPLICABILITY OF EXECUTIVE ORDER 13658

This license is issued to a private party to authorize the activities and/or placement of the facilities on public land as specified in Condition 8 and is not subject to Executive Order 13658, "Establishing a Minimum Wage for Contractors," or the implementing regulations issued by the Secretary of Labor in 29 C.F.R. Part 10.

If a duly authorized representative of the United States determines, whether before or subsequent to the granting of this license, that Executive Order 13658 is applicable to this license, the licensee agrees, to the extent permitted by law, to indemnify and hold harmless the United States, its officers, agents, and employees, for and from any and all liabilities, losses, claims, expenses, suits, fines, penalties, judgments, demands or actions, costs, fees, and damages directly or indirectly arising out of, caused by, related to, resulting from, or in any way predicated upon, in whole or in part, the erroneous Executive Order 13658 determination.

20. FEDERAL FUNDS

This license does not obligate the Secretary to expend any appropriated funds. Nothing in this license is intended or should be interpreted to require any obligation or expenditure of funds in violation of the Anti-Deficiency Act (31 U.S.C. § 1341).

THIS LICENSE is not subject to 10 U.S.C. § 2662, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the Secretary of the Army, this _____ day of _____.

Real Estate Contracting Officer
Mobile District

THIS LICENSE is executed by the grantee this _____ day of _____.

Note: Grantee must sign and date prior to RECO signature.

SIGNATURE

GRANTEE PRINTED NAME



CERTIFICATE OF AUTHORITY

I, _____, certify that I am the _____
(Name) (Secretary or Attesting Officer)
of the _____, named as grantee/lessee/licensee herein;
(Agency Name)
that _____, who signed this Agreement on behalf
(Officer Name)
of said _____, was then _____
(Agency Name) (Officer Title)
of the Agency; and that said Agreement was duly signed for and on behalf of
the _____ by authority of its governing body and is
(Agency Name)
within the scope of its statutory powers.

Signed, _____
Secretary or Attesting Officer

(The person that signed the attached instrument cannot sign Certificate)

This form certifies that the person signing the attached instrument has the authority to do so. The signature of the Secretary/Attesting Officer and the Individual signing the attached instrument cannot be the same.



CORPORATE CERTIFICATE

I, _____, certify that I am the _____
(Name) (Secretary or Attesting Officer)
of the _____, named as grantee/lessee/licensee herein;
(Corporation Name)
that _____, who signed this Agreement on behalf
(Officer Name)
of said _____, was then _____
(Corporation Name) (Officer Title)
of the Corporation; and that said Agreement was duly signed for and on behalf of
the _____ by authority of its governing body and is
(Corporation Name)
within the scope of its corporate powers.

Signed, _____
Secretary or Attesting Officer

(The person that signed the attached instrument cannot sign Certificate)
(AFFIX CORPORATE SEAL)

This form certifies that the person signing the attached instrument has the authority to do so. The signature of the Secretary/Attesting Officer and the Individual signing the attached instrument cannot be the same.



PARTNERSHIP CERTIFICATE

I, _____, certify that I am the General Partner
(Name of Partner - 1)

in the Partnership named as Grantee in the attached outgrant, I certify further that

_____, who signed said outgrant on behalf of the
(Name of Partner - 2)

Partnership, is also a General Partner and has the authority to bind the Partnership by
virtue of the powers vested in him/her in the Partnership agreement.

PARTNER'S NAME

(The Partner that signed attached instrument cannot sign Certificate)

This form certifies that the person signing the attached instrument has the
authority to do so. The signature of the Partner signing this form and the Partner
signing the attached instrument cannot be the same.



Exhibit V—Permit Process

New Permits and Reassignments

- 1 Pre-purchase Courtesy Inspection (this service is for prospective buyers only)
 - Make sure you know the subdivision name and lot number you want to buy.
 - If the property is not in a developed subdivision, be prepared to furnish information (such as a plat or legal description) which can be used to determine the lot location.
 - Ensure that the corners of the lot are clearly marked.
 - Call or write the staff at the West Point Lake Project Management Office to request a courtesy inspection.

A park ranger will check the allocation of the public property adjoining the lot and advise you as to the facilities/activities which may be permitted. Conditions are subject to change, and this inspection does not constitute a guarantee.

- 2 After you Own the Property
 - Set up an appointment with the area park ranger by calling (706) 645-2937.
 - If facilities already exist, either apply for permit reassignment (that is, to issue a new permit to a new owner for previously permitted items upon sale or transfer of the adjoining private property) within 14 days from the date of ownership transfer or remove the facilities and restore the area to its natural condition within 30 days from the date of ownership transfer.

- 3 Appointment with a park ranger on your Property

The park ranger will assist you in completing a preliminary package.

- Bring a copy of your deed and plat for the park ranger to keep.
- Provide the name and address of a secondary contact (different household) in case we cannot contact you.
- Furnish plans for any facilities to be placed on public property. If your plans are not available at the initial appointment, you may mail them to the West Point Lake Management Office.

- 4 Permit Package

- Information gathered at the appointment will be used to develop the permit package.
- You will receive a billing letter for the fee required and a copy of the permit application. Depending upon the facilities requested, you may also receive certification forms or other items to complete.
- Return the completed forms to the Project Management Office with your payment.

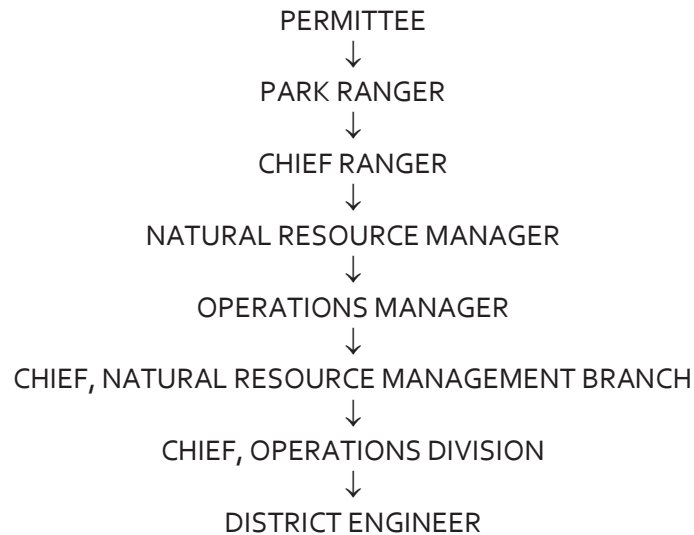
Reissuance of Permits

This section defines the steps required to renew and extend a permit to the permittee upon its expiration.

- 1 A field inspection is conducted of the activities/facilities authorized by the permit/license.
- 2 If all activities/facilities are in compliance with the conditions of the permit, the necessary forms are mailed to the permittee to reissue the permit for another five-year period.
- 3 If the activities/facilities are found to be deficient, a notice of correction is mailed. The permittee must bring the facilities/activities into compliance before the permit/license is issued. If corrections are not made, the permit will not be reissued, and the permittee may be requested to remove the facilities.

Exhibit VI—Communication Model for Shoreline Management

Any questions or need for information relating to a permit/license should first be directed to the area park ranger. The following model shows the communication chain if the area park ranger is unable to provide the information or cannot resolve a problem.



Project Management Office
West Point Lake
500 Resource Management Drive
West Point, GA 31833-9517

(706) 645-2937

Exhibit VII—Private Individual Floating Facility/Shelter Measurements

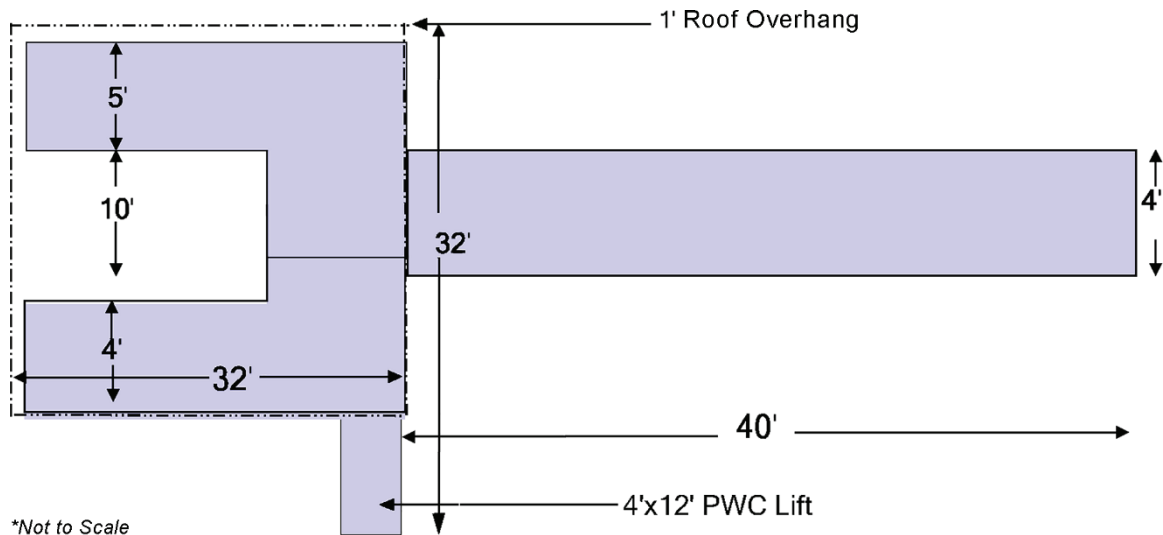
Private individual floating facility/shelter measurements are made to include any roof overhangs or appurtenant personal watercraft (PWC) lifts. No new floating facility/shelter may exceed 32' on any one side.

Total Floating Platform Area

Formula: $(\text{Width} \times \text{Length}) + (\text{Width pwc} \times \text{Length pwc}) = \text{Area of Floating Facility}$

Therefore, the total square footage of the floating facility illustrated below is 688 ft²:

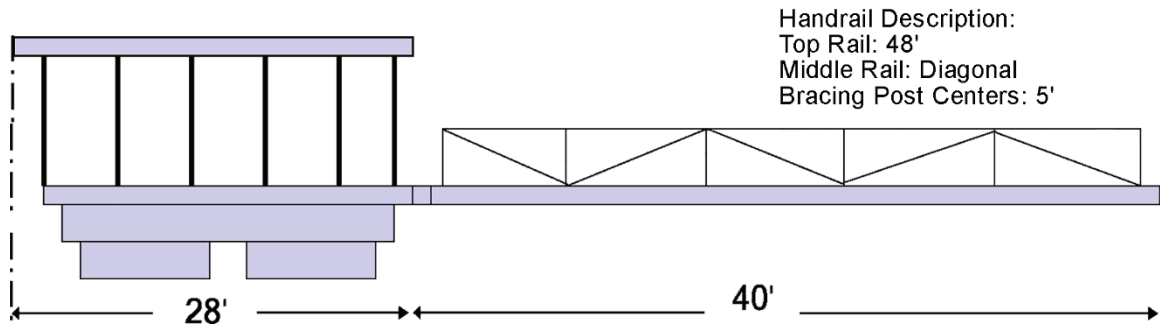
$$(32' \times [1' + 5' + 10' + 4']) + (4' \times 12') = 640 \text{ ft}^2 + 48 \text{ ft}^2 = 688 \text{ ft}^2$$



Total Floating Facility Length

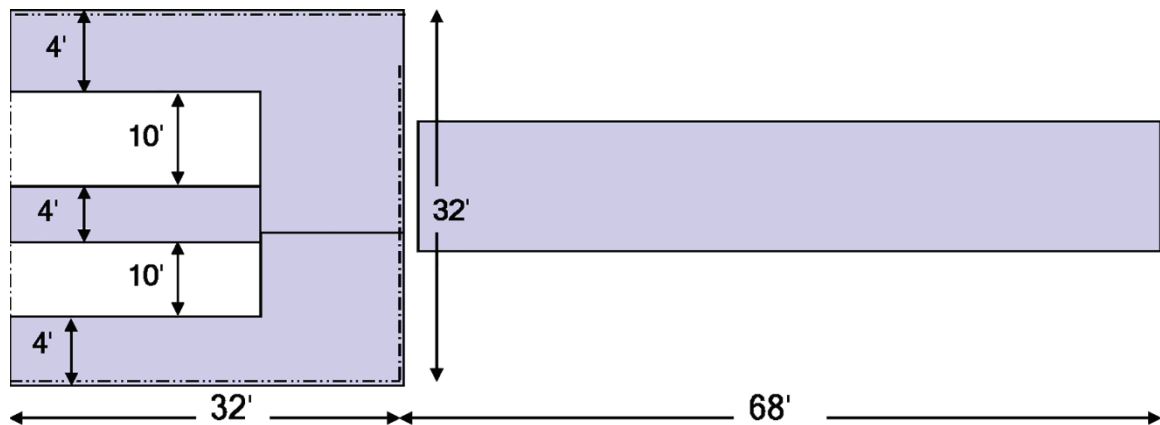
Formula: Length of Walkway + Length of Floating Facility = Total Length

Therefore, the total length of the floating facility illustrated below is 68': $40' + 28' = 68'$



Maximum Measurements

The floating facility illustrated below is at the maximum square footage and maximum length allowed—1024 ft² (32' x 32') and 100' long. There is no roof overhang. Due to the maximum size, no additional items may be added to the exterior of the floating facility, such as PWC lifts and/or boat lifts. Any type of watercraft docking device must be installed within the slips of the floating facility.



The floating facility illustrated below shows a minimum side length of 10'. Minimum square footage allowable is 144 ft².

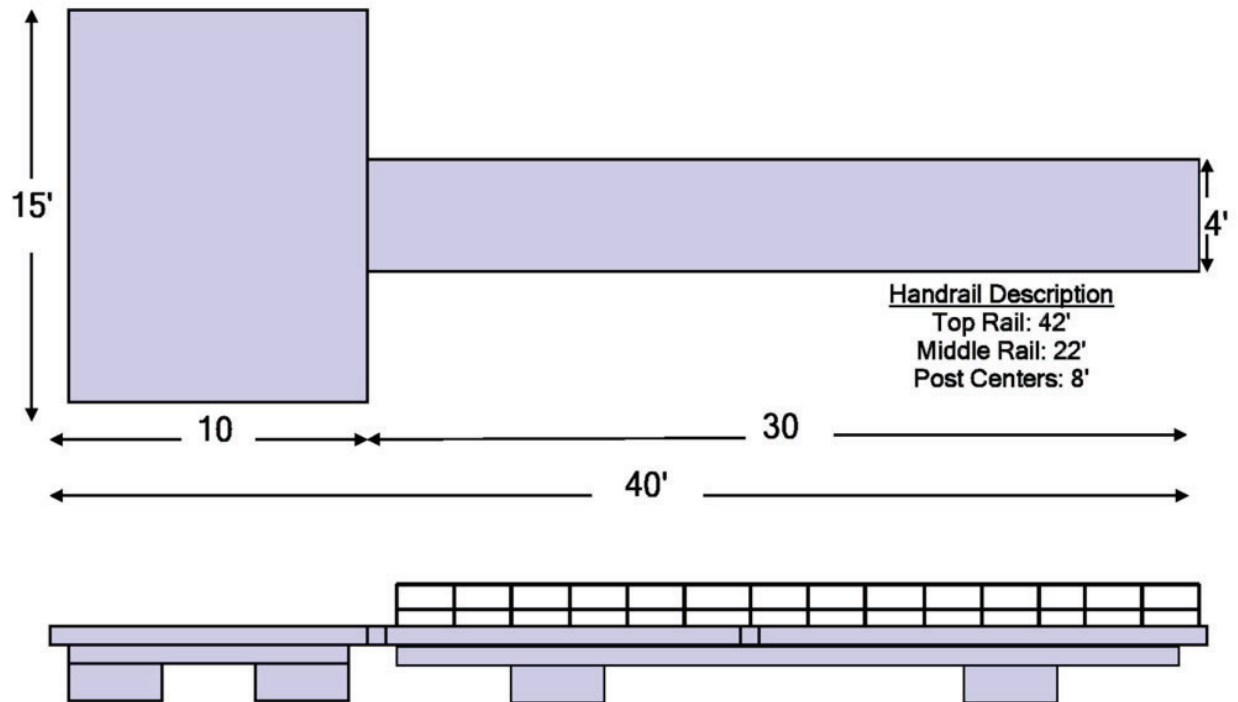
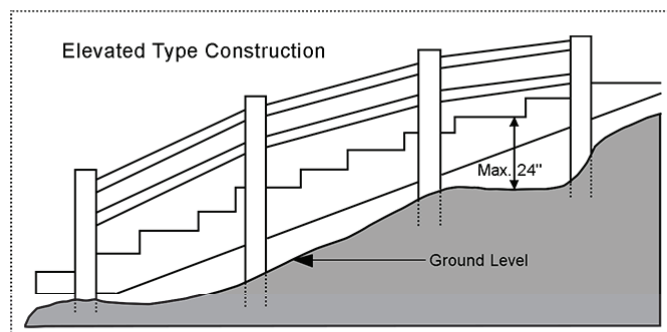
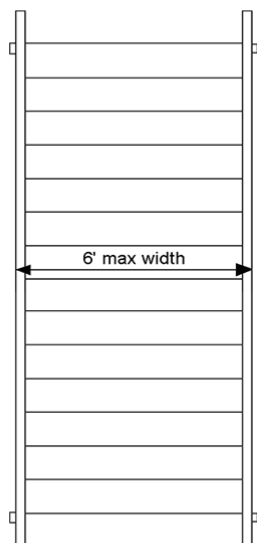
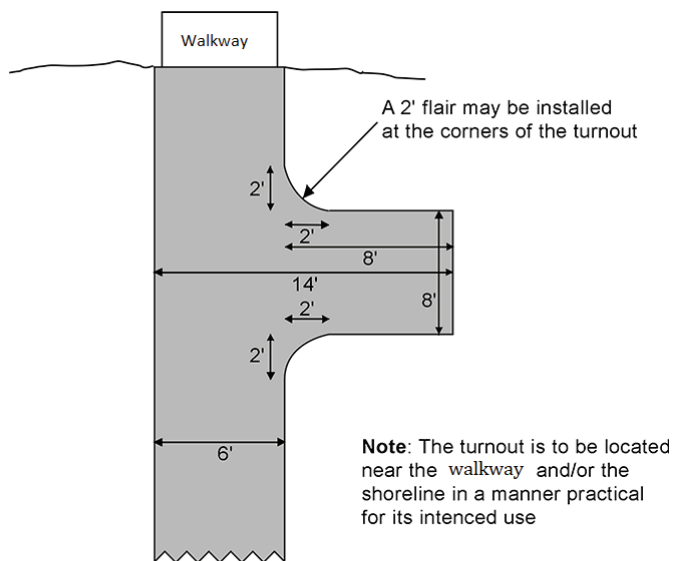
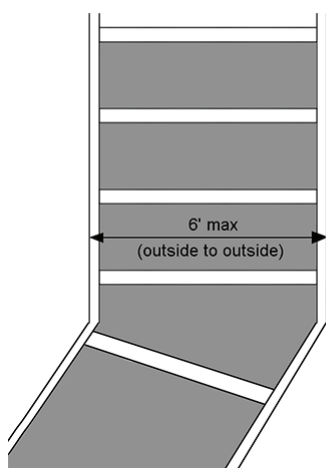
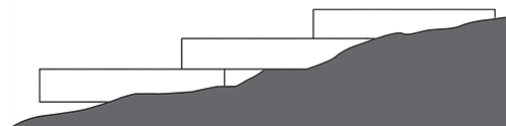


Exhibit VIII—Improved Walkway Certification Specifications and Agreement



On-Grade Type Construction (Side View)



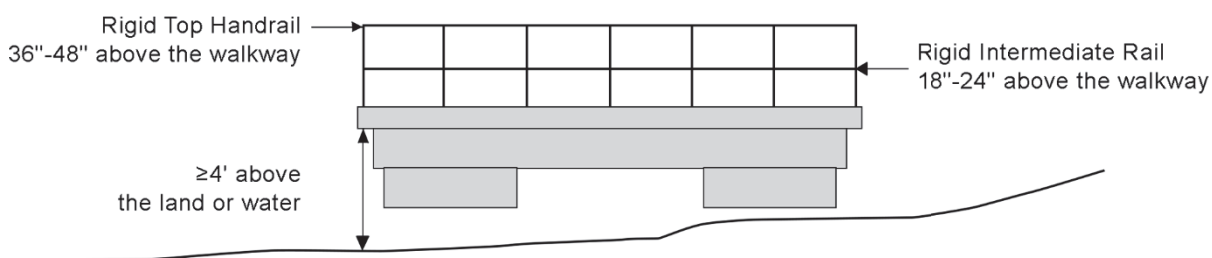
I certify that I received a copy of the Shoreline Management Plan, explaining the parameters/policy concerning improved walkways. I understand the sketches shown above are examples outlining the maximum width (6' from outside border to outside border) that applies to improved walkways. I understand the 8' width dimension applies only to the turnout portion of a cart path as shown and that cart paths must be on grade. I understand that loop-type turnarounds are not authorized. I understand the approval of my improved walkway is subject to compliance with the West Point Lake Shoreline Management Plan.

Permittee Signature _____ Date _____ Permit No. _____

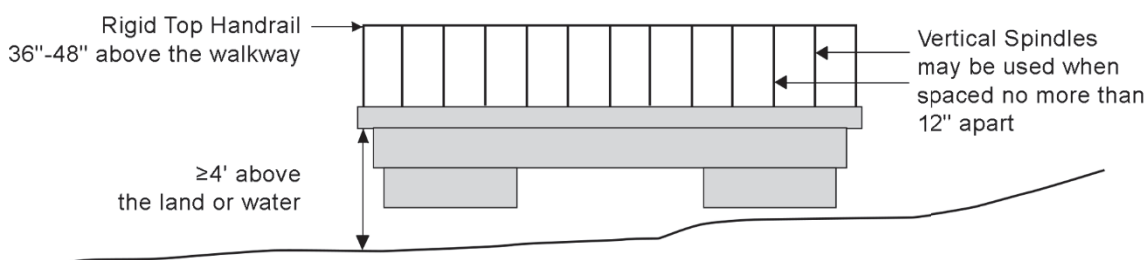
Exhibit IX—Handrail Designs

If any portion of a walkway is 4' or greater in height above land or water at any time, rigid-type safety handrails are required on each side for the entire length of that walkway component. Handrails must be 36"-48" in height with a rigid intermediate rail at 18"-24". Vertical spindles may be used in place of the intermediate rail if they are no more than 12" apart. Arched walkway diagonal bracing may be used in place of the intermediate rail if it extends from the top rail to the walkway surface between each vertical post.

Intermediate Rail Design



Vertical Spindle Design



Diagonal Bracing Design

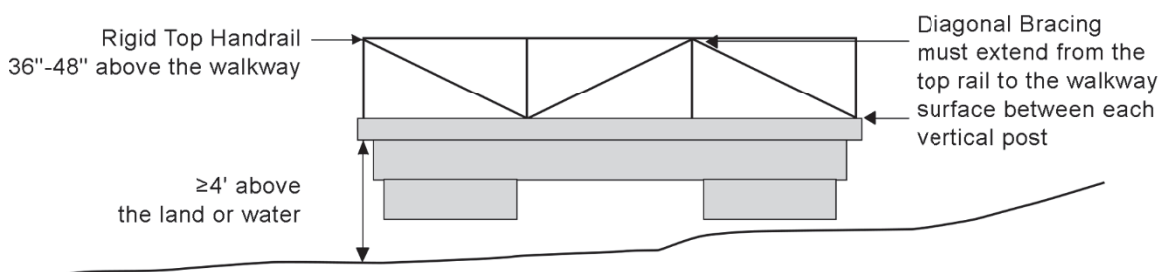
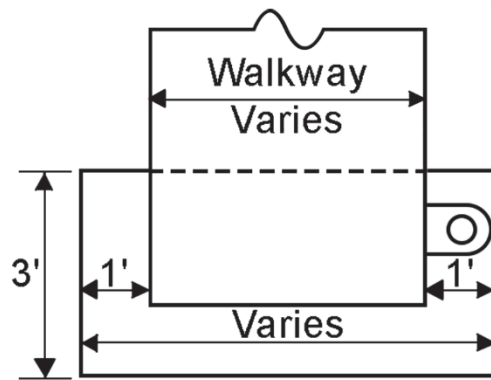
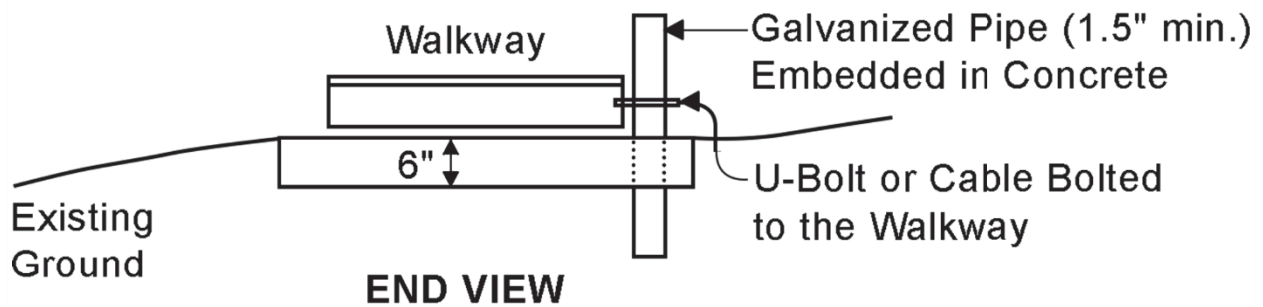


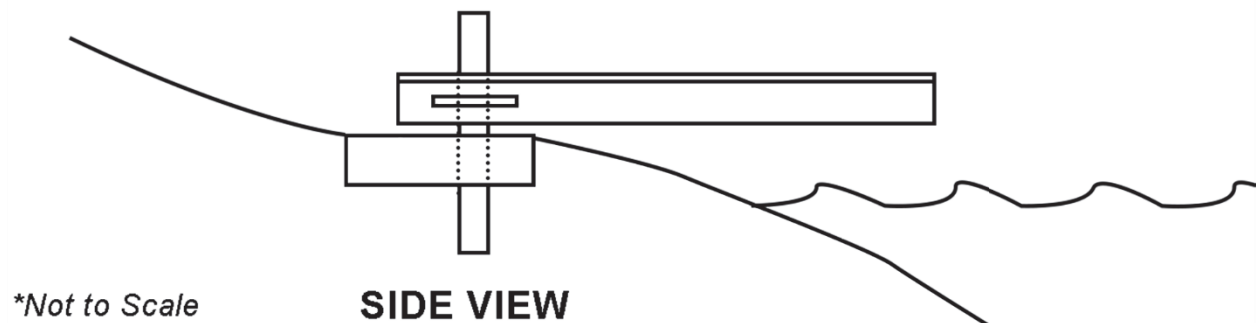
Exhibit X—Concrete Anchor Pad



TOP VIEW



END VIEW



SIDE VIEW

**Not to Scale*

Exhibit XI—Community Dock Agreement (Example)

DATE: _____

TO: _____ ADDRESS: _____

LOCATION: _____

PERMIT NO: _____ EXPIRES: _____

I, _____, have been appointed designated agent to act on behalf of _____ (*incorporated club or home owners association*).

I, _____, have been appointed designated agent to act on behalf of members of the community dock.

I understand that Permit No. _____ is issued for a community dock. As Designated Representative, I agree that issuance of the permit is dependent upon the following conditions:

- a Users of community docks must own an undivided interest proportionate to use in the dock, and each member will be obligated to bear a proportional share of construction, maintenance, and upkeep expenses. Community dock members are encouraged to form a legal association.
- b All slips in a community dock must be assigned to individual lots within the adjacent development as part of the permitting process. These slip assignments will remain with the lot even upon transfer of ownership of the lot to which the slip is assigned. Individuals may not hold interest in more than one dock slip in one or more community docks. These slip assignments will be provided to the Project Management Office at the time of permit application and verified as accurate during permit renewal.
- c No boats or slips may be rented at community docks, and guests may not moor their boats at community docks except for temporary use, not to exceed the length of stay of the guest. No commercial activities will be permitted on the dock or on public lands adjacent to it.
- d A permit for a community dock does not give the members any exclusive rights with regard to the use of public lands for access, parking, or utilities to serve the dock nor to remove vegetation or trees, to construct breakwaters to protect the dock from wave damage, or to install buoys to restrict speeds of passing boats.
- e The permit will be reassigned with the permission of the Resource Manager.
- f The shoreline adjacent to a community dock will be kept clean by dock members and maintained free of litter and debris, including building materials.
- g It is the responsibility of all community dock members to provide for the general safety of other members and/or guests on and around the community dock.
- h Members of the community dock, their guests, and others shall save and hold the US Government and its authorized representatives harmless from all claims for damages.

- i Community dock members must not discriminate against any person or persons because of race, religion, color, creed, or national origin in conduct of operations on premises. Community dock members must allow other applicants to add on to the dock, if natural physical conditions permit, provided the maximum number of 10 slips is not exceeded.
- j The community dock must be constructed in accordance with the West Point Lake Shoreline Management Plan. Enclosed docks or slips are not permitted. The facility must be designed as a whole, but individual units may be built as needed and authorized by modification of the permit. The Designated Representative, on behalf of the community, may request expansion of the community dock. However, no expansion or alteration may be accomplished until detailed plans and specifications have been approved by the Resource Manager.
- k All conditions of the West Point Lake Shoreline Management Plan must be adhered to.

I agree to discuss the above conditions with all members of the community dock association and act as Designated Representative until such time as another agent is appointed. Such appointment must be furnished in writing and approved by the Resource Manager. As agent, I will ensure that the above conditions are adhered to and that the community dock facility is maintained in a safe, structurally sound, and attractive manner at all times. I understand that I may be required to appear before a US Magistrate for noncompliance with terms and conditions of this permit.

_____ (SEAL)

_____ DATE

Resource Manager
West Point Lake

_____ Property Owners Association
Community Flotation Facility
Permit/License _____

Lot numbers assigned to the facility:

Slip #1: _____

Slip #2: _____

Slip #3: _____

Slip #4: _____

Slip #5: _____

Slip #6: _____

Slip #7: _____

Slip #8: _____

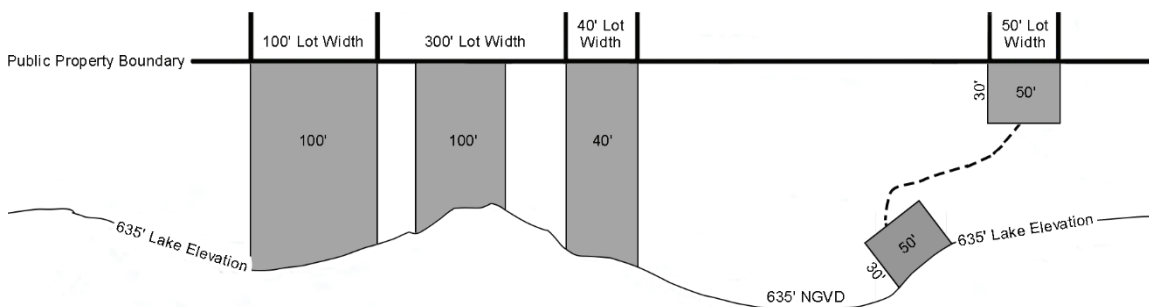
Slip #9: _____

Slip #10: _____

Exhibit XII—Underbrushing and Walkway Conditions

Conditions for Limited, Minor Underbrushing on West Point Lake

Underbrushing permits are limited to a maximum strip 100' in width, extending from the Government property line to the shoreline (635' NGVD). If the width of the adjacent property is less than 100', the width of the allowable underbrushing is reduced at the common boundary accordingly.



Conditions:

- 1 The permittee may cut and remove only undesirable trees and underbrush 3" or less in diameter at ground level, leaving trees no more than 10' apart (10x10 spacing).
- 2 The permittee may not cut a tree or trees larger than 3" in diameter at ground level unless approved and marked by a park ranger. Dead trees must also be approved and marked by a park ranger before removal.
- 3 The permittee may not cut or remove any native ornamental plants or trees (such as dogwoods, magnolias, and azaleas) regardless of spacing, unless specifically authorized and marked by a park ranger.
- 4 The permittee may prune low limbs on large trees from the ground up to a height of 10' or $\frac{1}{3}$ the height of the tree, whichever is less. Limbs must be trimmed close to the trunk.
- 5 The permittee may use only hand tools (power or manual). No equipment larger than small riding mowers may be used. Mowers may not be used on slopes where the removal of grass and leaf mulch will contribute to soil erosion. No heavy equipment may be left or operated on public land. When questions arise about a specific kind of equipment, the permittee should contact a park ranger.
- 6 The permittee may not use herbicides, insecticides, or any kind of biological control chemicals on public land. If unusual conditions exist, such as a kudzu infestation, the permittee should contact the Resource Management Office to determine if a Specified Acts Permit (SAP) may be obtained.
- 7 The permittee may pile and burn underbrush authorized for cutting by this permit. If underbrush is burned on public property, all burning must take place below the 635' NGVD elevation. All burning must comply with state regulations; the permittee must contact the

County office of the State forestry commission prior to burning and get permission to burn. No controlled or prescribed burning is permitted.

- 8 The permittee may plant up to 10 native trees or shrubs (for example, dogwood, redbud, or wax myrtle) without prior approval, provided they are located in a random fashion and do not displace existing vegetation. Larger-scale projects require prior approval of a planting plan.

Conditions for Grandfathered Limited, Minor Underbrushing on West Point Lake

Underbrushing permits are limited to the area identified on the Shoreline Use Permit Site Sheet Plan and in the Special Conditions portion of the Shoreline Use Permit form SAO 3185-R. Underbrushing is permitted under these guidelines until the adjacent private property fronting the underbrushing area is sold or changes ownership.

Conditions:

- 1 The permittee may cut and remove only undesirable trees and underbrush 3" or less in diameter at ground level, leaving trees no more than 10' apart (10x10 spacing).
- 2 The permittee may not cut a tree or trees larger than 3" in diameter at ground level unless approved and marked by a park ranger. Dead trees must also be approved and marked by a park ranger before removal.
- 3 The permittee may not cut or remove any native ornamental plants or trees (such as dogwoods, magnolias, and azaleas) regardless of spacing, unless specifically authorized and marked by a park ranger.
- 4 The permittee may prune low limbs on large trees from the ground up to a height of 10' or $\frac{1}{3}$ the height of the tree, whichever is less. Limbs must be trimmed close to the trunk.
- 5 The permittee may use only hand tools (power or manual). No equipment larger than small riding mowers may be used. Mowers may not be used on slopes where the removal of grass and leaf mulch will contribute to soil erosion. No heavy equipment may be left or operated on public land. When questions arise about a specific kind of equipment, the permittee should contact a park ranger.
- 6 The permittee may not use herbicides, insecticides, or any kind of biological control chemicals on public land. If unusual conditions exist, such as a kudzu infestation, the permittee should contact the Resource Management Office to determine if a Specified Acts Permit (SAP) may be obtained.
- 7 The permittee may pile and burn underbrush authorized for cutting by this permit. If underbrush is burned on public property, all burning must take place below the 635' NGVD elevation. All burning must comply with State regulations; the permittee must contact the County office of the State forestry commission prior to burning and get permission to burn. No controlled or prescribed burning is permitted.

- 8 The permittee may plant up to 4 native trees or shrubs (such as dogwood, redbud, or wax myrtle) without prior approval, provided they are located in a random fashion and do not displace existing vegetation. Larger-scale projects require prior approval of a planting plan.

Conditions for a Five-Foot-Wide Meandering Pathway on West Point Lake

Permits for vegetation removal on shoreline allocated as Protected Shoreline Areas are limited to a 5'-wide meandering pathway extending from the public property line to the shoreline. No underbrushing or other vegetative removal is permitted in these areas.

Conditions:

- 1 The 5'-wide pathway must meander (twist, turn, wander, wind, ramble), following the contour or the lay of the land as closely as possible.
- 2 The permittee may cut and remove only undesirable trees and underbrush 3" or less in diameter at ground level within the bounds of the 5'-wide pathway.
- 3 The permittee may not cut a tree or trees larger than 3" in diameter at ground level unless approved and marked by a park ranger. Dead trees must also be approved and marked by a park ranger before removal.
- 4 The permittee may not cut or remove any native ornamental plants or trees (such as dogwoods, magnolias, and azaleas) unless specifically authorized and marked by a park ranger.
- 5 The permittee may prune low limbs on large trees from the ground up to a height of 10' or $\frac{1}{3}$ the height of the tree, whichever is less, if the limbs hang over the 5'-wide pathway. Limbs must be trimmed close to the trunk.
- 6 The permittee may use only hand tools (power or manual). No equipment larger than small riding mowers may be used. Mowers may not be used on slopes where the removal of grass and leaf mulch will contribute to soil erosion. No heavy equipment may be left or operated on public land. When questions arise about a specific kind of equipment, the permittee should contact a park ranger.
- 7 The permittee may not use herbicides, insecticides, or any kind of biological control chemicals on public land. If unusual conditions exist, such as a kudzu infestation, the permittee should contact the Resource Management Office to determine if a Specified Acts Permit (SAP) may be obtained.
- 8 The permittee may pile and burn underbrush authorized for cutting by this permit. If underbrush is burned on public property, all burning must take place below the 635' NGVD elevation. All burning must comply with State regulations; the permittee must contact the County office of the State forestry commission prior to burning and get permission to burn. No controlled or prescribed burning is permitted.
- 9 The permittee may plant up to 4 native trees or shrubs (such dogwood, redbud, or wax myrtle) without prior approval, provided they are located in a random fashion and do not displace existing vegetation. Larger-scale projects require prior approval of a planting plan.

Exhibit XIII—West Point Lake Native Plant List

Native Trees

*Denotes value for wildlife

Latin Name	Common Name
<i>Acer barbatum</i>	*Florida Maple
<i>Acer negundo</i>	Box Elder
<i>Acer rubrum</i>	*Red Maple
<i>Betula nigra</i>	*River Birch
<i>Carpinus caroliniana</i>	*American Hornbeam
<i>Carya cordiformis</i>	*Bitternut Hickory
<i>Carya glabra</i>	Pignut Hickory
<i>Carya ovata</i>	*Shagbark Hickory
<i>Carya pillada</i>	*Sand Hickory
<i>Carya tomentosa</i>	*Mockernut Hickory
<i>Castanea pumila</i>	*Allegheny Chinkapin
<i>Celtis laevigata</i>	*Sugarberry
<i>Cercis canadensis</i>	Eastern Redbud
<i>Cornus florida</i>	*Flowering Dogwood
<i>Crataegus spp.</i>	*Hawthorne
<i>Diospyros virginiana</i>	*Persimmon
<i>Fagus grandifolia</i>	*American Beech
<i>Fraxinus pennsylvanica</i>	Green Ash
<i>Ilex opaca</i>	*American Holly
<i>Juglans nigra</i> L.	*Black Walnut
<i>Juniperus virginiana</i> L.	Red Cedar
<i>Liquidambar styraciflua</i>	*Sweetgum
<i>Liriodendron tulipifera</i>	Yellow Poplar
<i>Magnolia virginiana</i>	Sweetbay
<i>Nyssa sylvatica</i>	Blackgum
<i>Ostrya virginiana</i>	Eastern Hop-hornbeam
<i>Pinus echinata</i> Mill.	Shortleaf Pine
<i>Pinus taeda</i> L.	*Loblolly Pine
<i>Platanus occidentalis</i>	*American Sycamore
<i>Populus deltoides</i>	*Eastern Cottonwood
<i>Prunus serotina</i>	*Black Cherry
<i>Quercus alba</i>	*White Oak
<i>Quercus coccinea</i>	*Scarlet Oak
<i>Quercus falcata</i>	*Southern Red Oak
<i>Quercus lyrata</i>	*Overcup Oak
<i>Quercus michauxii</i>	*Swamp Chestnut Oak
<i>Quercus nigra</i>	*Water Oak
<i>Quercus rubra</i>	*Northern Red Oak
<i>Quercus shumardii</i>	*Shumard Oak
<i>Quercus stellata</i>	*Post Oak
<i>Salix nigra</i>	Black Willow
<i>Tilia heterophylla</i>	White Basswood
<i>Ulmus alata</i>	*Winged Elm
<i>Ulmus americana</i>	American Elm

Native Shrubs and Vines

*Denotes value for wildlife

Latin Name	Common Name
<i>Alnus serrulata</i>	*Tag Alder
<i>Asimina parviflora</i>	Dwarf Pawpaw
<i>Asimina triloba</i>	Pawpaw
<i>Berberis canadensis</i>	American Barberry
<i>Bignonia capreolata</i>	Cross Vine
<i>Callicarpa americana</i>	*Beauty Berry
<i>Calycanthus floridus</i>	Sweet Shrub
<i>Campsis radicans</i>	*Trumpet Creeper
<i>Chionanthus virginicus</i>	Grancy Greybeard
<i>Cocculus carolinus</i>	Coral Bean
<i>Gelsemium sempervirens</i>	Yellow Jessamine
<i>Hydrangea quercifolia</i>	Oak Leaf Hydrangea
<i>Hypericum prolificum</i>	St. John's Wort
<i>Ilex laevigata</i>	Smooth Winterberry
<i>Kalmia latifolia</i>	*Mountain Laurel
<i>Lonicera sempervirens</i>	*Red Trumpet Honeysuckle
<i>Malus angustifolia</i>	Southern Crab Apple
<i>Morus rubra</i>	Red Mulberry
<i>Myrica asplenifolia</i>	*Sweet Fern
<i>Myrica cerifera</i>	*Wax Myrtle
<i>Parthenocissus quinquefolia</i>	*Virginia Creeper
<i>Persea borbonia</i>	Swamp Red Bay
<i>Philadelphus hirsutus</i>	Mock Orange
<i>Philadelphus inodorus</i>	Philadelphus
<i>Rhododendron carolinianum</i>	Carolina Rhododendron
<i>Rhododendron catawbiense</i>	Catawba Rhododendron
<i>Rhododendron minus</i>	Piedmont Rhododendron
<i>Rhus Copallina</i>	Shining sumac
<i>Rubus betulifolius</i>	*Blackberry
<i>Rubus flagellaris</i>	*Dewberry
<i>Rubus trivialis</i>	*Southern Dewberry
<i>Salix sericea</i>	Silky Willow
<i>Sassafras albidum</i>	Sassafras
<i>Schisandra coccinea</i>	Star Vine
<i>Smilax glauca</i>	*Sawbrier Smilax
<i>Smilax laurifolia</i>	*Smilax
<i>Smilax pumila</i>	*Dwarf Smilax
<i>Smilax rotundifolia</i>	*Greenbrier
<i>Styrax grandifolius</i>	*Snowbell
<i>Vaccinium arboreum</i>	*Sparkleberry
<i>Viburnum acerifolium</i>	*Maple Leaved Arrowwood
<i>Viburnum dentatum</i>	*Southern Arrowwood
<i>Viburnum prunifolium</i>	*Blackhaw
<i>Vitis rotundifolia</i>	*Muscadine



Exhibit XIV—USACE Requirements for Installation and Certification of Electrical Facilities at West Point Lake

Specific Requirements

- 1 **Location**—The location of the utility line must not cause a safety hazard. The proposed location must front the permittee's private property.
- 2 **Utility Line Installation**—All new electrical lines must be installed underground using underground feeder (UF) or underground service entrance (USE) cable, buried a minimum of 24" deep and marked with warning tape at a 12" depth. Wiring exiting the ground must be installed in conduit. If a water line is installed in the same trench, it must be a minimum of 12" above the electric line. Wiring that is not underground (for example, on poles and floating facilities) must be protected by an approved-type conduit system, including all associated units, sections, and fittings. On existing overhead electric lines, whenever the electric line comes down the pole, it must have a weather-head and be protected by approved-type conduit. Also, any electric line attached to a floating facility must be protected by an approved-type conduit with all junctions and receptacles being of the weatherproof type. This is required on existing electric lines upon repair, reissuance, or reassignment, whichever comes first.
- 3 **Shoreline Service Pole**—If used, the service pole must be set at or above the 642' NGVD elevation. The pole can be a maximum of 6" in diameter or square and 10' high. If surplus cable is maintained for use during low lake levels, it should be coiled and attached to service pole.
- 4 **Shoreline Distribution Panel**—If used, the panel should be located at eye level, no less than 5' above the ground. Cable leading from the ground to the panel must be enclosed in conduit. Cable supplying service to a floating facility must be equipped with quick disconnect fittings mounted above 642' NGVD elevation and must be protected by a Ground Fault Circuit Interrupter (GFCI). The GFCI can be provided in the shoreline distribution panel or in the main panel at the house.
- 5 **Receptacles**—All receptacles on public lands or waters must have ground fault protection and be mounted in weatherproof boxes with self-closing caps. Convenience receptacles on floating facilities must be mounted at least 30" above the deck. No receptacles are permitted on walkways. A maximum of one duplex or two single receptacles are permitted on the floating facility and must be of 15 or 20 ampere rating. Land receptacles must be mounted at or above the 642' NGVD elevation and must be at least 4' above the ground. Receptacles providing shore power for boats must be a minimum of 20 ampere rating and be of the locking and ground type.
- 6 **Wiring**—All electrical lines and cables on or attached to the floating facility must be approved for wet locations and protected by conduit. All wiring must be enclosed in approved conduit in such a way that entry of moisture is prevented. All lines must be attached to the outside edge or underside of the walkway or floating facility. At moveable walkway and floating facility joints, links of liquid-tight, flexible conduit must be used.

- 7 **Lighting**—Lighting must be limited to the minimum necessary for safe access with a maximum bulb size of 150 watts. Fixtures and lights must be approved for damp/wet locations and cannot be mounted to extend beyond the outer perimeter of the floating facility. Light must be aimed downward. Lighting along paths may be of the low voltage-type with no exposed wiring.

General Requirements

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



US Army Corps
of Engineers
Mobile District

Certification of Electrical Installation Facilities on West Point Lake

All electrical installation facilities must be certified for safety and compliance with applicable codes by a licensed electrician or electrical engineer before the permit can be issued or renewed. This applies to electrical service on public lands and private docks. In addition to the National Electric Code standards, U.S. Army Corps of Engineers requirements are listed within the West Project Shoreline Management Plan and diagrams are provided in Exhibit XI of the Appendix.

Permittee: _____

Permit Location: _____

Parcel ID: _____

Permit Number: _____

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

Electrician/Electrical Engineer Print Name

Electrician/Electrical Engineer Signature

State Certification Number

Permittee Signature

Date



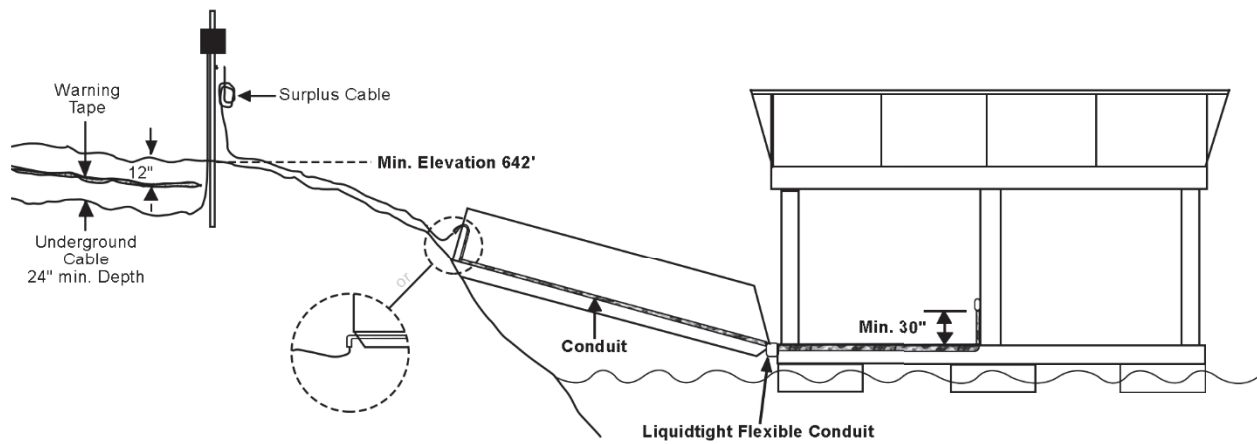
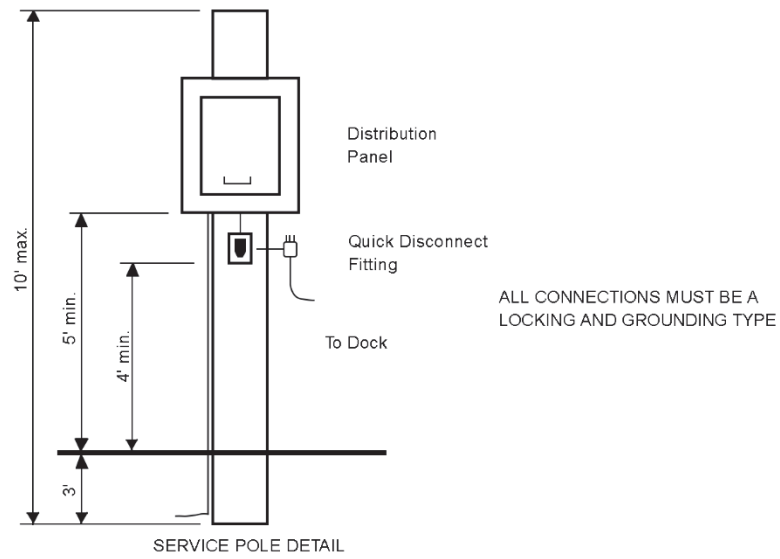


Exhibit XV—West Point Lake Special Permit



West Point Project

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

Special Activity Permit

Date: _____

Permission is granted to: _____ Contractor (if applicable): _____

To perform the following action(s) on Public Lands and/or Waters at the specified location(s):

Action(s): _____

Location(s): Public land adjacent to _____, Shoreline Permit # _____ Monument Number, _____,
County, State of _____, Tax Map _____ Block _____ Parcel _____.

THIS PERMIT IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. This permit expires on _____. Actions authorized herein shall cease and permit will be null and void on this date.
2. The exercise of the privileges granted by this permit will be without cost or expense to the US Army Corps of Engineers.
3. The permittee shall not hold the US Army Corps of Engineers or its employees liable for any claims of any nature whatsoever arising from or out of the performance of the acts authorized by this permit.
4. No property right or interest in real estate is conveyed by this permit. The permittee has no rights of supervision or control of the use of public property and the free use of such property is and shall remain open to the public.
5. Removal of all trash and debris resultant from actions authorized by this permit shall be the permittee's responsibility.
6. The permittee must comply with all applicable Federal, State, and local laws, regulations, and ordinances.

Please sign below if you agree to abide by the above conditions.

Permittee _____ Date _____

Telephone # _____

Contractor Performing Work _____ Date _____

Telephone # _____

Authorized By:

David J. Scott
Natural Resource Manager
(706) 645-2937

U.S. ARMY CORPS OF ENGINEERS – WEST POINT PROJECT

500 Resource Management Drive
West Point, GA 31833
706-645-2937

<http://www.sam.usace.army.mil/>

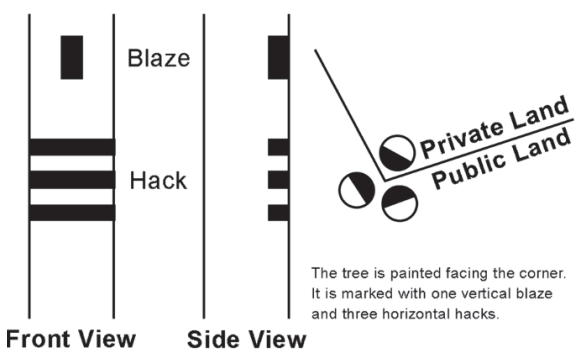


Exhibit XVI—Boundary Line

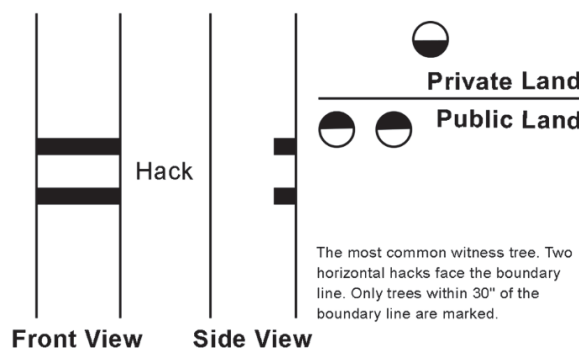
USACE requests the help of all citizens in preventing encroachments on the public land around West Point Lake. To assist in identifying the public property on West Point Lake, the boundary line is marked with red paint. Corners are marked by steel pipes or concrete monuments.

The red paint is placed on witness trees near the boundary line. The following graphics illustrate the different types of markings and describe their meanings.

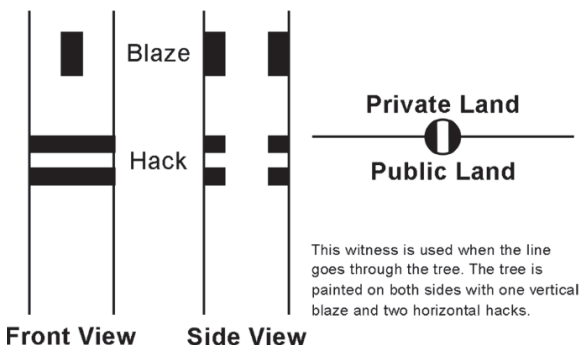
1 Corner Witness Tree



3 Line Witness Tree



2 Center Line Tree



4 Banded Directional Tree

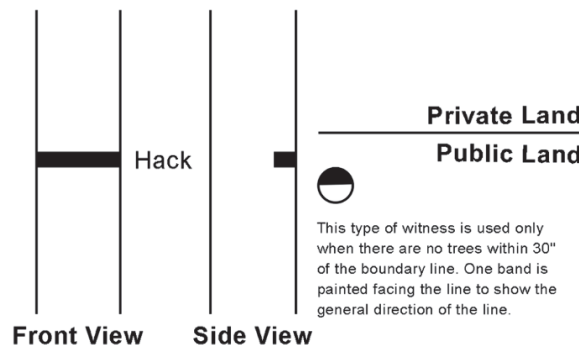


Exhibit XVII—Protected Plants and Wildlife

Key to Status

- E—Endangered
- S—Species of Special Concern
- T—Threatened
- U—Unusual

Key to Counties

- C—Chambers, AL
- H—Heard, GA
- R—Randolph, AL
- T—Troup, GA

Protected Plants Occurring in Chambers and Randolph Counties, AL

Common Name	Scientific Name	Status	County	Protected By
Little Amphianthus	<i>Amphianthus pusillus</i>	T	C, R	AL, US
White Fringeless Orchid	<i>Platanthera integrilabia</i>	T	C, R	AL, US

Protected Plants Occurring in Troup and Heard Counties, GA

Common Name	Scientific Name	Status	County	Protected By
Little amphianthus	<i>Amphianthus pusillus</i>	T	H	GA, US
Yellow Lady's Slipper	<i>Cypripedium calceolus</i> var. <i>pubescens</i>	U	H, T	GA
Black-Spored Quillwort	<i>Isoetes melanospora</i>	E	H	GA, US
Bay Star Vine	<i>Schisandra glabra</i>	T	H, T	GA
Piedmont Barren Strawberry	<i>Waldsteinia lobata</i>	T	H	GA
Harper's Dodder	<i>Cuscuta harperi</i>	E	H	GA
Georgia Aster	<i>Symphyotrichum georgianum</i>	T	H	GA

Protected Wildlife Occurring in Chambers and Randolph Counties, AL, and Troup and Heard Counties, GA

Common Name	Scientific Name	Status	County	Protected By
Mammals				
Northern Long-Eared Bat	<i>Myotis septentrionalis</i>	E	C, R, H, T	US
Indiana Bat	<i>Myotis sodalis</i>	E	C, R, H, T	US
Florida Panther	<i>Felis concolor coryi</i>	E	T	GA
Birds				
Bald Eagle	<i>Haliaeetus leucocephalis</i>	T	H, T	GA
Wood Stork	<i>Mycteria americana</i>	T	C, R, H, T	US
Red-Cockaded Woodpecker	<i>Picoides borealis</i>	E	C, R, H, T	US
Fish				
Bluestripe Shiner	<i>Cynprinella callitaenia</i>	R	H, T	GA
Highscale Shiner	<i>Notropis hypsilepis</i>	R	H, T	GA
Mollusks				
Purple Bankclimber	<i>Elliptoideus sloatianus</i>	T	C, R, H, T	US
Oval Pigtoe	<i>Pleurobema pyriforme</i>	E	C, R, H, T	US
Southern Pigtoe	<i>Pleurobema georgianum</i>	E	C, R, H, T	US
Finelined Pocketbook	<i>Lampsilis altilis</i>	T	C, R	AL, US
Ovate Clubshell	<i>Pleurobema perovatum</i>	E	C, R	US

