



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE
CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

**PROGRAMMATIC GENERAL PERMITS FOR MINOR STRUCTURES
AND ACTIVITIES WITHIN THE FEDERAL ENERGY REGULATORY
COMMISSION (FERC) PROJECT BOUNDARIES OF THE GEORGIA POWER
COMPANY RESERVOIRS WITHIN THE CHATTAHOOCHEE RIVER BASIN WITHIN THE
STATE OF ALABAMA**

Effective Date: March 13, 2017
Expiration Date: September 21, 2020

AUTHORITY:

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344), the Mobile District, U.S. Army Corps of Engineers (Mobile District) hereby revises and issues the following Georgia Power Company Programmatic General Permits (GPCO-PGP) for a period of three (3) years. The ability to issue verification of permit coverage under a PGP avoids other Mobile District permit evaluation procedures and unnecessary duplication of regulatory efforts exercised by Federal, state or local agencies and provides an expedited means of project evaluation without reducing the degree of protection afforded the waters of the United States.

The term “programmatic general permit” means a Department of the Army (DA) authorization that is issued on a regional basis for a category or categories of activities when:

- (1) Those activities are substantially similar in nature and cause only minimal individual and cumulative environmental impacts; or
- (2) The programmatic general permit would result in avoiding unnecessary duplication of the regulatory control exercised by another Federal, state or local agency, provided it has been determined that the environmental consequences of the action are individually and cumulatively minimal.

GEORGIA POWER PROGRAMMATIC GENERAL PERMITS SUMMARY	
Permit	Activity
GPCO-PGP-01	Debris Removal
GPCO-PGP-02	Construction of Non-Commercial Boat Slips; Maintenance Dredging of Existing Boat Slips, Canals, or Navigation Channels
GPCO-PGP-03	Construction and/or Maintenance of Fixed Structures
GPCO-PGP-04	Construction and Modification of Boat Ramps
GPCO-PGP-05	Riprap for Shoreline, Bank, and Channel Protection; Bulkheads and Other Standard Shoreline Protection/Stabilization Devices Roughly

	Paralleling, and at the Shoreline or Bank
GPCO-PGP-06	New Work Channel Dredging
GPCO-PGP-07	Filling of Previously Dredged Areas Such as Boat Slips, Artificial Canals, etc.

GEOGRAPHIC APPLICABILITY:

These programmatic general permits are applicable within the Federal Energy Regulatory Commission (FERC) project boundaries of the Georgia Power Company reservoirs within the Chattahoochee River basin within the State of Alabama at Lake Oliver and Lake Harding (see map below). Each reservoir is considered a water of the United States within the regulatory boundaries of the Mobile District.

ADMINISTRATION:

A project-specific verification must be obtained for all activities covered under the Georgia Power Company Programmatic General Permits (GPCO-PGP) **prior** to the start of regulated activities in waters of the United States. A pre-construction notification (PCN) for verification of permit coverage under the GPCO-PGP may be submitted to and verification letters issued by the GPCO Site Manager at the following location(s):

Lake	Contact Information
Lake Oliver	Site Manager, 1516 Bartlett's Ferry Rd. 4430; Fortson, GA 31808-4430 (706) 317-6045
Lake Harding (Bartlett's Ferry)	Site Manager, 1516 Bartlett's Ferry Rd. 4430; Fortson, GA 31808-4430 (706) 317-6045

PRE-CONSTRUCTION NOTIFICATION (PCN):

The prospective permittee is required to submit a PCN for their project. It is recommended to submit the PCN as early as possible, and if possible, at least 60 days prior to the planned start of their proposed project. Please note that reviews of projects that have potential to affect cultural resources or threatened and endangered species may take longer than 60 days to complete. The PCN must include a completed **Joint Application and Notification, U.S. Department of Army, Corps of Engineers, Alabama Department of Environmental Management** form. This form (commonly referred to as the Alabama Joint Application Form) can be accessed at USACE, Mobile District, Regulatory Division's website at:

www.sam.usace.army.mil/Missions/Regulatory.aspx

or

www.adem.alabama.gov/DeptForms/Form166.pdf

The following information is required for a complete PCN and verification of coverage under the Alabama Power Company Programmatic General Permits (unless noted as optional):

A. An Alabama Joint Application form with all applicable portions completed, and

- signed by the applicant (must be an original signature and not a copy)
- B. Applicant name, address, telephone number, and email address (if available)
 - C. If an agent is used, all agent contact information and applicant's original signature authorizing the agent
 - D. Exact location information for proposed project, including street address, latitude and longitude (in "Decimal Degree" format), and parcel number of property
 - E. Full project description, including all proposed dimensions of structures and/or activity
 - F. (Optional) Photographs (or description of existing conditions) of project area
 - G. Statement of purpose and need for project
 - H. Vicinity map on full 8.5"x 11" sheet (NOTE: The map should reproduce clearly on a black and white copier)
 - I. Overall plan view drawing of entire property and proposed project on 8.5"x 11" sheet (NOTE: All drawings should be in black and white, should be drawn with a straight edge or ruler, and should reproduce clearly on a black and white copier)
 - J. Cross-section or profile view drawing of proposed structure, or areas of dredge/fill, on 8.5"x 11" sheet (NOTE: All drawings should be in black and white, should be drawn with a straight edge or ruler, and should reproduce clearly on a black and white copier)
 - K. Names and addresses of adjoining property owners
 - L. If Applicable: A delineation of any wetlands that are present on the project parcel and/or adjacent riparian area

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT:

The Alabama Department of Environmental Management (ADEM) has reviewed these programmatic general permits and issued a conditional water quality certification (WQC) letter pursuant to Section 401(a)(1) of the Clean Water Act. The WQC letter included twelve (12) conditions which the ADEM requested to be incorporated into each permit. The ADEM's certification of these programmatic general permits will expire on September 21, 2020.

CULTURAL RESOURCES:

The Mobile District has determined that establishment of the permits included in the 2017 GPCO-PGP Program will have no potential to cause effects to cultural, historical, or tribal resources or properties listed in or eligible for the National Register of Historic Places (NRHP), provided that the following review procedures are followed: Individual projects that may be authorized under this PGP will be reviewed by GPCO's archeologist. Projects that may directly impact a known historic property, and projects located in the vicinity of a known historic property, will be referred back to the Mobile District for processing and review. These procedures, along with General Condition GC-8 will insure that no permit verifications will be issued for individual projects under this permit until all requirements of Section 106 of the NHPA and 33 CFR part 325, Appendix C have been satisfied. Additionally, General Condition GC-8 requires permittees to cease work and contact the GPCO Site Manager if any previously unknown historic or cultural resources are discovered during permitted project activities.

If the Mobile District determines that the project may affect historic properties to which any federally recognized Indian Tribe attaches religious and cultural significance, then (in addition

to the SHPO) the Mobile District will also contact the appropriate Indian Tribe(s) in a manner suitable to initiate government-to-government consultation. The Mobile District is responsible for making the effects determination for each project, and after written notification of the determination is made to the SHPO, the Mobile District will provide the SHPO thirty (30) days to respond. In the cases of projects for which the Mobile District has made a determination that a project may affect historic tribal properties, the Mobile District will, after initiating government to government consultation, also provide the consulting Indian Tribe thirty (30) days to respond. Verifications cannot be issued until all required consultation pursuant to Section 106 of the NHPA and 33 CFR part 325, Appendix C is complete.

THREATENED AND ENDANGERED SPECIES:

No activity is authorized by these programmatic general permits that is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. Prior to verification of any PGP, a GPCO environmental specialist will look over the proposed action(s) and determine if the site is located in an area where threatened or endangered species are known to occur. If the proposed action is in such an area, GPCO will not verify the PGP but will forward the permit request to the Mobile District for further evaluation. Furthermore, General Condition GC-7 states if the permittee or the permittee's contractors discover any federally listed threatened or endangered species and/or their habitat while accomplishing work or activities authorized by these PGPs, the permittee shall immediately notify the GPCO Site Manager. Within 24 hours of permittee notification, the Site Manager shall notify the Mobile District. The Mobile District will initiate the Federal and state coordination required to determine if the species and/or habitat warrant further consultation with the U.S. Fish and Wildlife Service. Based upon this review procedure, the Mobile District has determined that issuance of this PGP would have no effect on listed threatened or endangered species, and no effect on designated critical habitat.

DEPARTMENT OF THE ARMY, MOBILE DISTRICT - FURTHER INFORMATION:

For the purposes of the Programmatic General Permits (PGPs): the GPCO Site Manager is the entity to review and verify whether proposed work or activities would qualify for authorization under the terms and conditions of these PGPs, except when otherwise specified or the project is forwarded to the Mobile District by the Site Manager; the applicant is the entity that has proposed or applied for work or activities under the terms and conditions of these PGPs; and the permittee is the entity that has received written verification from the Site Manager that work or activities are authorized under the terms and conditions of the PGPs.

a. Limits of Authorization:

- (1) These permits do not obviate the need to obtain other Federal, state, or local authorizations required by law.
- (2) These permits do not grant any property rights or exclusive privileges.
- (3) These permits do not authorize any injury to the property or rights of others.
- (4) These permits do not authorize interference with any existing or proposed Federal project.

- b. Limits of Liability:** In issuing these authorizations, neither the Federal Government, the State of Alabama, nor any designated resource agency; their staff or employees, assume any liability.
- c. Reliance on Applicant's Data:** In part, each individual determination by the Mobile District that verification of permit authorization is not contrary to the public interest is made with reliance on the information provided by the applicant.
- d. Re-evaluation of Permit Decision:** The Mobile District may re-evaluate any permit verification decision at any time the circumstances warrant. Circumstances that could require a re-evaluation include, but are not limited to, the following:
- (1) Failure to comply with the terms and conditions of the verification letter or the permit.
 - (2) The information provided in support of the PCN proves to have been false, incomplete, or inaccurate (See c. above.)
 - (3) Significant new information surfaces which we (USACE) did not consider in reaching the original public interest decision.
 - (4) Such a re-evaluation may result in a determination that it is appropriate to use the suspension, modification, or revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring compliance with the terms and conditions of the permit and for the initiation of legal action where appropriate. The applicant/permittee will be required to pay for any corrective measures ordered by this office and failure to comply with such directive, may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise request restitution.
- e. Expiration or Suspension of this Programmatic General Permit Program:** These programmatic general permits will be valid for a five-year period or until suspended, or revoked. They may be suspended or revoked, in whole or in part, if it is determined that the cumulative effects of any activities pursuant to them adversely affect water quality, navigation, or other public interest factors. Such suspension shall be effective upon issuance of a public notice which shall indicate a date periodically to determine if continuation of these permits is in the overall public interest.

These programmatic general permits will be re-advertised via public notice every five years as part of a public interest review. The Mobile District will periodically review each of the permits within the GPCO-PGP Program and their conditions and will decide to modify, reissue, or revoke the permits. If a PGP is not modified or reissued within five years of its effective date, it automatically expires and becomes null and void. Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon an authorized PGP will remain authorized

provided the activity is completed within twelve months of the date of the permit's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.7. Activities completed under the authorization of these permits which were in effect at the time the activities were completed continue to be authorized by these permits unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.7.

- f. **Time Extensions**: Authorization under these PGPs is valid until their scheduled expiration date of September 21, 2020. However, if you have commenced or are under contract to commence the permitted activity before September 21, 2020, you will have twelve (12) months from that date to complete the activity under the terms and conditions of the 2017 GPCO-PGPs. In the event you have not commenced or completed your project by this date, a new PCN will be required.
- g. Failure to secure verification of authorization under these programmatic general permits as specified herein or failure to comply with conditions of any PGP or any verification issued for these permits may result in enforcement actions by the Mobile District or the Alabama Department of Environmental Management.

JAMES A. DELAPP
Colonel, U.S. Army
District Commander

BY: _____
CRAIG J. LITTEKEN, PMP
Chief, Regulatory Division

DATE: _____

DEPARTMENT OF THE ARMY PERMIT

ELIGIBLE STRUCTURES AND ACTIVITIES
GEORGIA POWER PROGRAMMATIC GENERAL PERMITS

GPCO-PGP-1 – Debris removal. Debris may be removed from any waterway for navigational or drainage purposes only. Debris includes but is not limited to stumps, tree limbs, appliances, lumber, metal objects, etc. Living vegetation attached to the substrate would not be considered debris. All debris must be properly placed in an approved landfill. Alternative disposal sites for woody debris may be authorized on a case-by case basis, but only after full coordination with the USACE and USFWS if located in a jurisdictional area. Examples of authorized activities include, but are not limited to: Removal of polystyrene foam, picking up debris materials by hand, and removal of other materials in a manner that does not alter the water bottom. (Section 10)

GPCO-PGP-2 – Construction of non-commercial boat slips; maintenance dredging of existing boat slips, canals, or navigation channels. Dredging of less than 500 cubic yards of material from below the ordinary high water mark is authorized. The depth shall be no greater than the design depths and the depth of the water leading to the area to be maintained. No dredging may be authorized in wetlands, bottomland hardwoods, vegetated shallows or submerged grass beds. Dredged material shall not be placed in adjacent waters, bottomland hardwoods or wetlands but shall be deposited in a confined upland area in such a manner that the sediment will not re-enter the waterway or interfere with natural drainage. Aquatic vegetation which has invaded previously dredged areas may be dredged during maintenance. (Section 10)

GPCO-PGP-3 – Construction and/or maintenance of fixed structures. Construction and/or maintenance of non-commercial piers, docks, wharves, boat shelters, boat houses, hoists, gazebos, sun decks, stairways and walkways involving no fill in waters of the United States, including wetlands. The size limits of each structure shall be no greater than the size limits specified in the Georgia Power Shoreline Management Permit. (Section 10)

GPCO-PGP-4 – Construction and modification of boat ramps. Dredging and/or filling of less than 250 cubic yards below the ordinary high water mark to build or modify a boat ramp is authorized. No wetlands may be filled. Dredged material shall not be placed in adjacent waters, bottomland hardwoods or wetlands, but shall be deposited in a confined upland area in such a manner that the sediment will not re-enter the waterway or interfere with natural drainage. Should dredging and filling both be performed, the cumulative total material for both activities would be used to determine if the activity involved less than 250 cubic yards. The boat ramp shall be no wider than 20 feet. (Sections 10 and 404)

GPCO-PGP-5 – Riprap for shoreline, bank, and channel protection; bulkheads and other standard shoreline protection/stabilization devices roughly paralleling, and at, the shoreline or bank. No wetlands may be filled. If the area, or portion thereof, to be protected is a wetland, no fill may be placed in the wetland, and the shore protection device must be designed to allow the normal hydrologic regime to be maintained. Should the shore, bank or

channel require dressing, the bedding fill below the ordinary high water mark may not exceed an average of one (1) cubic yard per linear foot of area being protected; however, there is no limit to the amount of riprap which may be placed above the ordinary high water mark. Use of appropriate filter fabric shall be considered, and may be required by the local authorities. Stream channelization projects are not authorized by this PGP. Bulkheading is limited to a total project length of 1,000 linear feet. However, the protection must be along the existing shoreline. New bulkheads shall not extend more than 36 inches waterward from the full pool elevation of the reservoir. Replacement bulkheads shall not extend more than 24 inches waterward from a failed bulkhead. The amount of backfill may not exceed an average of one (1) cubic yard per linear foot below the ordinary high water mark for the area being protected. If a channel is being protected by bulkhead, the backfill is limited to one (1) cubic yard per linear foot for each side. Groins, jetties, or solid structures perpendicular to the shore or bank are not authorized under this permit. Furthermore, this permit may not be used to regain land lost to erosion, or otherwise accreted land. Only clean earthen fill, free of waste, metal or organic trash, unsightly debris, cultural resources, etc., may be used. Riprap will be placed at the base of all bulkheads. Stabilization of eroding shoreline utilizing appropriate bioengineering techniques (to include "soft" engineering with the use of fiber logs, aquatic or semi-aquatic vegetation) is authorized. Projects that include the use of vegetative and bioengineering practices are not subject to length restrictions. (Sections 10 and 404)

GPCO-PGP-6 – New work channel dredging. Dredging of up to 500 cubic yards of material may be authorized. Dredging is limited to open water channels for navigation access and must be a single and complete project. No dredging may be authorized in wetlands, bottomland hardwoods or submerged grass beds and no dredged material shall be used to raise the elevation of any wetland or water bottom unless specifically authorized under other General Permits or Standard Permits. Dredging depth is limited to the controlling navigational depth. Dredged material shall not be placed in adjacent waters, bottomland hardwoods or wetlands but shall be deposited in a confined upland area in such a manner that the sediment will not re-enter the waterway or interfere with natural drainage. (Section 10)

GPCO-PGP-7 – Filling of previously dredged areas such as boat slips, artificial canals, etc. No wetlands, submerged grass beds, natural streams or natural channels may be filled. If the area to be filled had previously been a wetland or natural channel, the fill may not exceed the original elevations or dimensions. Further, no area providing mitigation, enhancement or flushing of an aquatic system may be filled. Only clean earthen fill, free of waste, metal or organic trash, unsightly debris, etc., may be used. (Sections 10 and 404)

GENERAL CONDITIONS:

1. The PGPs authorize only those activities specifically addressed herein. Any activity not authorized in the PGP or which exceeds the limitations of the PGP, requires specific authorization through the USACE.
2. If the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the U.S. Coast Guard shall be installed and maintained by and at the expense of the permittee.
3. If future operations by the United States require the removal, relocation or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee shall be required, upon due notice from the USACE, to remove, relocate or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
4. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).
5. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.
6. The activity authorized must be maintained in good condition and in conformance with the terms and conditions of the permit. The permittee is not relieved of this requirement if the permitted activity is abandoned.
7. If the permittee or the permittee's contractors discover any federally listed threatened or endangered species and/or their habitat while accomplishing the work or activities authorized by these PGPs, the permittee shall immediately notify the GPCO Site Manager. Within 24 hours of permittee notification, the Site Manager shall notify the Mobile District. The Mobile District will initiate the Federal and state coordination required to determine if the species and/or habitat warrant further consultation with the U.S. Fish and Wildlife Service.
8. If the permittee or the permittee's contractors discover any previously unknown historic or archaeological remains while accomplishing the work or activities authorized by the PGP(s), the permittee shall immediately notify the GPCO Site Manager. Within 24 hours of permittee notification, the Site Manager shall notify the Mobile District to determine requirements for further action. For each project proposed to be authorized under this PGP, the GPCO archaeologist will look over the proposed actions, review

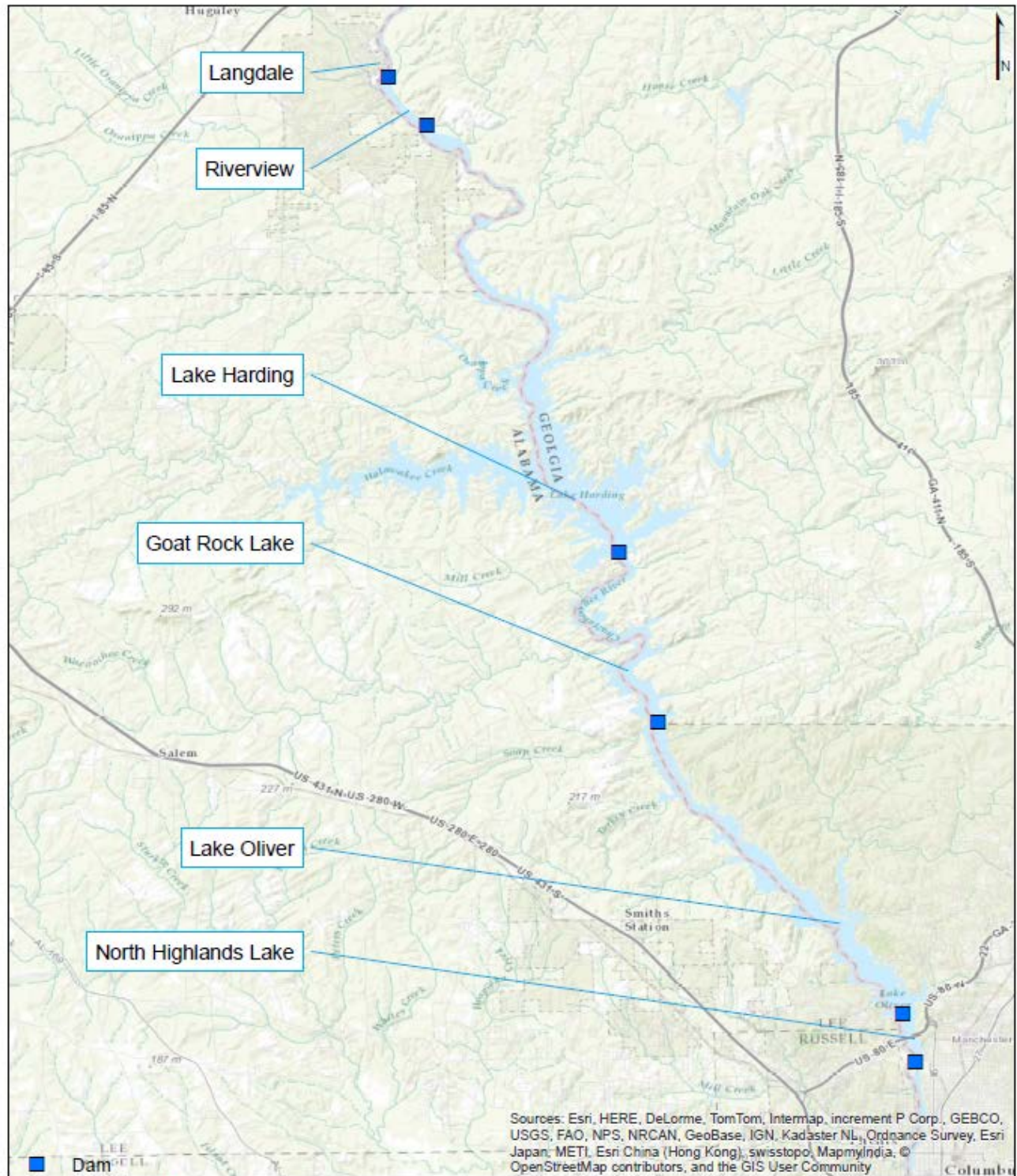
their database of known sites, and then verify the permit, or forward to the Mobile District for evaluation if projects are located within the immediate vicinity of an identified cultural resource.

9. If the property associated with this permit is sold, the permittee shall provide the Site Manager with the name and signature of the new owner and forward a copy of the permit to the Site Manager to validate the transfer of the GPCO PGP verification. The GPCO permit itself is not transferable.
10. The permittee shall allow Federal or state resource agency representatives as well as GPCO representatives to inspect the proposed and/or authorized activity at any-time deemed necessary.

SPECIAL CONDITIONS:

1. No work shall be performed under authority of these PGPs until the applicant submits an application to the Site Manager and the permittee receives written verification from the Site Manager that the proposed work and/or activities are authorized under the terms and conditions of these PGPs.
2. Conformance with descriptions and quantities contained herein does not necessarily guarantee consideration and/or subsequent authorizations.
3. The time limit for completing work authorized under authority of these PGPs is one (1) year from the date of obtaining verification. In addition, the permittee shall notify the Site Manager of the time the activity authorized herein will be commenced, as far in advance of the time of commencement as the Site Manager may specify, and of any suspension or work if for a period of more than one (1) week, resumption or work, and its completion.
4. A complete copy of the PGPs with written authorization from the Site Manager, including drawings, special conditions and any amendments shall be maintained at the work site whenever work is being performed. The permittee shall assure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of the terms and conditions of these PGPs.
5. No oils, grease, materials or other pollutants will be discharged from the construction activities that reach public waters.
6. No habitable structures, fueling or storage facilities over navigable waters of the United States are authorized under this PGP.
7. Approved floatation: All floats (existing and proposed) shall be encased or closed cell extruded and expanded polystyrene and specifically manufactured for marine use. All floats shall not be subject to waterlogging or sinking if punctured. If maintenance or modification of a residential overwater structure is proposed under this PGP, all existing floats not meeting this requirement must be replaced to be eligible for verification under this PGP.

8. No work shall be conducted under authority of these PGPs that requires discharge of wet or otherwise uncured concrete in areas below water unless explicitly authorized by GPCO and unless the concrete is contained within waterproof forms until the concrete cures.
9. Failure to secure authorization as specified herein or failure to comply with the conditions of any authorizations under these PGPs may result in enforcement actions.



Middle Chattahoochee Lakes

