



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, MOBILE DISTRICT
218 SUMMIT PARKWAY, SUITE 222
HOMEWOOD, ALABAMA 35209

CESAM-RD-N
Regulatory Division

May 26, 2020

SPECIAL JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT and
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PROPOSED PROGRAMMATIC GENERAL PERMITS FOR MINOR STRUCTURES AND
ACTIVITIES IN GEORGIA POWER COMPANY RESERVOIRS WITHIN THE
CHATTAHOOCHEE RIVER BASIN WITHIN THE STATE OF ALABAMA

SPECIAL PUBLIC NOTICE NUMBERS:

SAM-2020-00445-LET; GPCO-PGP-01 - DEBRIS REMOVAL

SAM-2020-00446-LET; GPCO-PGP-02 - CONSTRUCTION OF NON-COMMERCIAL
BOAT SLIPS; MAINTENANCE DREDGING OF EXISTING BOAT SLIPS, CANALS,
OR NAVIGATION CHANNELS

SAM-2020-00447-LET; GPCO-PGP-03 - CONSTRUCTION AND/OR MAINTENANCE
OF FIXED STRUCTURES

SAM-2020-00448-LET; GPCO-PGP-04 - CONSTRUCTION AND MODIFICATION OF
BOAT RAMPS

SAM-2020-00449-LET; 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

SAM-2020-00489-LET; *RESERVED*; GPCO-PGP-06 *previously NEW WORK CHANNEL*
DREDGING

SAM-2020-00450-LET; GPCO-PGP-07 - FILLING OF PREVIOUSLY DREDGED AREAS
SUCH AS BOAT SLIPS, ARTIFICIAL CANALS, ETC.

TO WHOM IT MAY CONCERN:

Interested parties are hereby notified that in accordance with 33 CFR 325.2(e)(2) and 325.3(b), the Mobile District of the U.S. Army Corps of Engineers (USACE) proposes authorization, re-issuance, and/or revision of the following Georgia Power Company (GPCO) Programmatic General Permits (PGPs), described herein, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. These permits will supersede the GPCO-PGPs issued on March 13, 2017 that expire on September 21, 2020.

The term "Programmatic General Permit" means a Department of the Army 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.

Programmatic General Permits (PGPs) are reviewed every 5 years. Each PGP contains certain limitations intended to protect the aquatic environment, natural, and cultural resources. Conformance with the conditions contained in the PGP does not necessarily guarantee authorization under the PGP. In most instances, a proposed project complying with conditions of the PGP can receive specific authorization. Any proposed project not complying with the conditions would be evaluated by USACE as either a Nationwide Permit or Standard Permit. A Standard Permit will be individually coordinated with third parties, including Federal and State resource agencies.

Georgia Power Company (GPCO) owns the pool property of the reservoirs listed in Table 1 and in some areas has additional property rights along the shoreline. GPCO regulates all activities and structures within the boundaries of the hydroelectric reservoirs subject to licenses issued by the Federal Energy Regulatory Commission (FERC), and pursuant to FERC requirements, these activities and structures must be pre-approved and permitted by GPCO. Therefore, in an effort to expedite authorization of work, including minor structures and other activities with minimal adverse impacts located in waters of the United States, the USACE, Mobile District, proposes the authorization of the enclosed PGPs. These PGPs are only applicable within the FERC project boundaries of GPCO reservoirs located in the Chattahoochee River basin within the State of Alabama (reference map within attachment).

Table 1: Georgia Power Reservoirs

Lake	Contact Information
Chattahoochee River – Lake Oliver	1516 Bartletts Ferry Road Fortson, Georgia 31808 (706) 322-0228
Chattahoochee River - Goat Rock Lake	1516 Bartletts Ferry Road Fortson, Georgia 31808 (706) 322-0228
Chattahoochee River – Lake Harding (Bartlett’s Ferry)	1516 Bartletts Ferry Road Fortson, Georgia 31808 (706) 322-0228

Under the proposed PGPs, a permit applicant would apply only to GPCO, rather than applying to both GPCO and the USACE for authorization. GPCO would (1) verify that the proposed project meets the terms and conditions of the PGP(s); (2) notify the applicant and; (3) provide the applicant a pdf of the Georgia Power Construction Permit referencing the site, file/permit number, the PGP, and GPCO website maintaining a digital copy of the PGP including General Conditions, Special Conditions, and the State Water Quality Certification Conditions of the PGP(s).

The GPCO PGPs proposed for issuance are attached. Conditions listed thereafter are applicable to all proposed PGPs.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the USACE can be based. For accuracy and completeness of record, all data in support of or in opposition to the issuance of the PGPs should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a PGP will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the below listed public interest factors. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposed activities must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the PGPs will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and in general, the needs and welfare of the people.

The USACE is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the USACE to determine whether to re-issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the proposed activity. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

The USACE will apply for certification from the State in accordance with Section 401(a)(1) of the Clean Water Act, and upon completion of the required advertising, a determination relative to certification will be made by the Alabama Department of Environmental Management.

In accordance with Section 106 of the National Historic Preservation Act, and Appendix C of 33 CFR 325, the Programmatic General Permits defined in this notice are being considered for the potential to effect cultural and historic properties. We are seeking comment from the State Historic Preservation Officer, federally-recognized American Indian tribes, local historical societies, museums, universities, the National Park Service, and concerned citizens regarding the existence or the potential for existence of significant cultural and historic properties within the permit area. The USACE has made a preliminary determination that the individual activities proposed to be authorized by the PGPs would have little potential to affect cultural and historic properties within the permit area.

By copy of this Public Notice, the USACE is requesting comments from the U.S. Fish and Wildlife Service regarding federally listed species or critical habitat, in accordance with the provisions of the Federal Endangered Species Act, to ensure that the proposed activities will not adversely affect any listed or proposed species.

Permit specific comments should refer to the applicable Public Notice Number and should be directed to the District Engineer, U.S. Army Corps of Engineers Mobile District, Birmingham Field Office, Regulatory Division, Attention: Ms. Leslie Turney, 218 Summit Parkway, Suite 222, Homewood, Alabama 35209, with a copy to the Alabama Department of Environmental Management, Field Operations Division, Office of Field Services, Attention: Mr. Richard Hulcher, Post Office Box 301463, Montgomery, Alabama 36130-1463, in time to be received not later than **June 25, 2020**. Comments may also be submitted via e-mail to USACE at **Leslie.E.Turney@usace.army.mil** and to ADEM at **fieldmail@adem.alabama.gov**.

Please communicate this information with interested parties. If you have any questions concerning this notice or for additional information, you may contact Ms. Leslie Turney at Leslie.E.Turney@usace.armymil or telephone number (205) 290-9096. For additional information about our Regulatory Program, please visit our web site at: <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>.

MOBILE DISTRICT
U.S. Army Corps of Engineers

ATTACHMENTS



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, MOBILE DISTRICT
218 SUMMIT PARKWAY, SUITE 222
HOMEWOOD, ALABAMA 35209

CESAM-RD-N
REGULATORY DIVISION

**Proposed Programmatic General Permits for Minor Structures and Activities
in the Georgia Power Company Reservoirs Within the Chattahoochee River
Basin Within the State Of Alabama**

Proposed Effective Date: 21 September 2020

Proposed Expiration Date: 21 September 2025

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) proposes revision and issuance of the following Georgia Power Company Programmatic General Permits (GPCO-PGPs) for a period of five (5) years. The ability to issue verification of permit coverage under a PGP would avoid other Mobile District permit evaluation procedures and unnecessary duplication of regulatory efforts exercised by Federal, state or local agencies and would provide 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

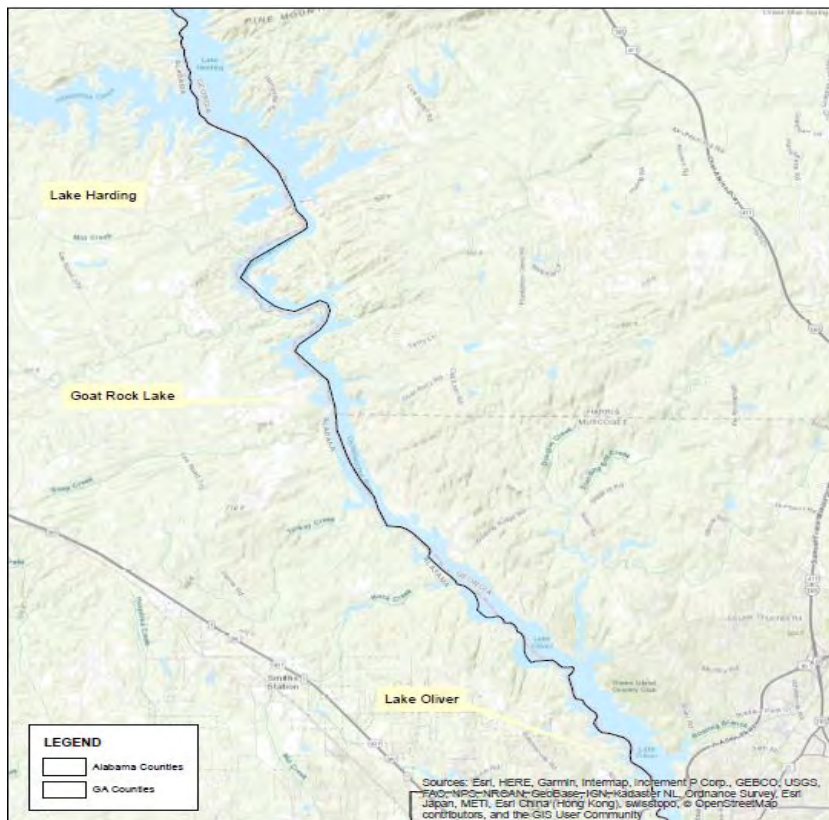
(2) The programmatic general permit would result in avoiding unnecessary duplication of the regulatory control exercised by another Federal, State or local agency provided it has been determined that the environmental consequences of the action are individually and cumulatively minimal.

GEORGIA POWER PROGRAMMATIC GENERAL PERMITS SUMMARY	
Permit	Activities
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	RESERVED *See Note 1
GPCO-PGP-07	Filling of previously dredged areas such as boat slips, artificial canals, etc.

* Note 1: This permit is placed under reserved status pending further review and coordination by the Mobile District. Should this permit be re-authorized, a Public Notice announcement will then be issued.

GEOGRAPHIC APPLICABILITY:

These PGPs would be 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, Goat Rock Lake, and Lake Harding (see map below). Each reservoir is considered a water of the United States within the regulatory boundaries of the Mobile District (need new PGP lakes applicability map from GPCO to insert).



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):

**Georgia Power Company
1516 Bartletts Ferry Road
Fortson, Georgia 31808
Telephone: (706) 322-0228**

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 the appropriate, completed Georgia Power Bartletts Ferry Lakes Permit Application Form(s) and required location maps and project drawings. These forms can be accessed at the Georgia Power Lakes, Bartletts Ferry, Shoreline Management website at:

<http://georgiapowerlakes.com/bartlettsferry/shoreline-management/>

In most instances, a proposed project complying with the conditions of the GPCO-PGPs, including the attached General Conditions, can receive project specific authorization. However, conformance with the conditions contained in the GPCO-PGPs does not necessarily guarantee authorization under the GPCO-PGP. Any proposed project not complying with the conditions of a PGP would be evaluated by the USACE as a Nationwide Permit or Individual Permit. Individual Permits and would be individually coordinated with third parties, including Federal and state resource agencies. For any activities that must be evaluated directly by the USACE, the PCN must include a completed Joint Application and Notification, U.S. Department of Army, Corps of Engineers, Alabama Department of Environmental Management form (commonly referred to as the Alabama Joint Application Form). This form can be accessed at the USACE, Mobile District, Regulatory Division website or the Alabama Department of Environmental Management website at:

www.sam.usace.army.mil/Missions/Regulatory/E-Submittal-of-Applications/

or

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

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT:

The Mobile District is requesting that the Alabama Department of Environmental Management (ADEM) issue Water Quality Certification (WQC) for these programmatic general permits, in accordance with Section 401(a)(1) of the Clean Water Act (CWA).

CULTURAL RESOURCES:**STATE HISTORIC PRESERVATION OFFICER (SHPO):**

The Mobile District has preliminarily determined that establishment of the permits included in the 2020 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 archaeologist. 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. The Mobile District is responsible for making the effects determination for these projects, and after written notification of the determination is made to the SHPO, the Mobile District will provide the SHPO thirty (30) days to respond. These procedures, along with General Condition GC-8 will ensure that no permit verifications will be issued for individual projects under the PGPs 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.

TRIBAL HISTORIC PRESERVATION OFFICERS (THPO):

The Mobile District has preliminarily determined that establishment of the permits included in the 2020 GPCO-PGP Program will have no potential to cause effects to any cultural or tribal resources. If the Mobile District determines that the project may affect historic properties to which any federally recognized Indian Tribe attaches religious and/or 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. In the case of projects for which the Mobile District has made a determination that a project may affect tribal historic 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. Please note General Condition GC-8 pertaining to cultural and tribal resource issues.

THREATENED AND ENDANGERED SPECIES:

No activity shall be authorized by these programmatic general permits which 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. Preliminary review of these programmatic general permits indicates that the proposed activities are not likely to adversely affect listed endangered or threatened species, or their critical habitat provided that the following review procedures are followed: Prior to verification of any PGP, a GPCO environmental specialist will review the proposed action(s) and determine if the site is located in an area of concern for threatened or endangered species or designated critical habitat. 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, Revocation 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 to periodically 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, 2025. However, if you have commenced or are under contract to commence the permitted activity before September 21, 2025, you will have twelve (12) months from that date to complete the activity under the terms and conditions of the 2020 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

SAM-2020-00445-LET

GPCO-PGP-01 – DEBRIS REMOVAL:

This permit authorizes the removal of debris 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 U.S. Fish and Wildlife Service (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. Use of this PGP would most commonly be associated with post storm (severe thunderstorms, tornadoes, straight line winds, winter storms, etc.) and/or flood event clean-up situations, but may be used to authorize smaller scale and/or non-storm related debris removal activities on a case-by-case basis as determined appropriate by GPCO and/or USACE. (Section 10)

SAM-2020-00446-LET

GPCO-PGP-02 – CONSTRUCTION OF NON-COMMERCIAL BOAT SLIPS: MAINTENANCE DREDGING OF EXISTING BOAT SLIPS, CANALS, OR NAVIGATION CHANNELS:

This permit authorizes the dredging of less than 500 cubic yards of material from below the ordinary high water mark. The depth shall be no greater than the design depths of the slip, canal or channel, 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)

SAM-2020-00447-LET

GPCO-PGP-03 – CONSTRUCTION AND/OR MAINTENANCE OF FIXED STRUCTURES:

This permit authorizes the construction and 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)

SAM-2020-00448-LET

GPCO-PGP-04 – CONSTRUCTION AND MODIFICATION OF BOAT RAMPS:

This permit authorizes the dredging and/or filling of less than 250 cubic yards below mean high water or the plane of ordinary high water or ordinary high water mark (OHWM) to build or modify a boat ramp. No wetlands may be filled. Dredge 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 should be no wider than 20 feet. (Sections 10 and 404)

SAM-2020-00449-LET

GPCO-PGP-05 – RIPRAP FOR SHORELINE, BANK, AND CHANNEL PROTECTION; BULKHEADS AND OTHER STANDARD SHORELINE PROTECTION/STABILIZATION DEVICES ROUGHLY PARALLELING, AND AT THE SHORELINE:

This permit authorizes the installation of shoreline protection/stabilization devices at or below the existing ordinary high water mark (OHWM) shoreline or where slope dressing is required. The volume of rip-rap and associated backfill material discharged below the normal full pool elevation or OHWM of the lake may not exceed an average of one (1) cubic yard per linear foot; however, there is no limit to the amount of fill and rip-rap that may be placed above the OHWM provided wetlands would not be impacted. 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 (e.g., low profile installations). 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. For channel protection, 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 accrete land. 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)

SAM-2020-00450-LET

GPCO-PGP-07 – FILLING OF PREVIOUSLY DREDGED AREAS SUCH AS BOAT SLIPS, ARTIFICIAL CANALS, ETC.:

This permit authorizes the filling of previously dredged artificial water features/waterways. 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 of the wetland and/or channel. Further, no area providing mitigation, enhancement or flushing of an aquatic system may be filled. (Sections 10 and 404)

GENERAL CONDITIONS:

NOTE: For the purposes of the Programmatic General Permits (PGPs): the GPCO Site Manager is the entity that the Mobile District, U.S. Army Corps of Engineers (USACE) has delegated authority to review and verify whether proposed work or activities would qualify for authorization under the terms and conditions of these PGPs; 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.

- GC-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.
- GC-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.
- GC-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.
- GC-4 The discharge of dredged or fill material into waters of the United States shall consist of suitable material free from toxic pollutants. All earthen fill material, not excavated at project locations, shall be obtained from non-contaminated high ground sources which have little or no organic content. All dredged or borrowed material used as fill on this project will be from clean, uncontaminated sources, and free from cultural resources, waste, metal and organic trash, or other unsightly debris.
- GC-5 Appropriate soil erosion and sediment controls must be used and maintained in effective operating conditions during construction, and all exposed soil and other fill, 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. Moreover, permittees are encouraged to follow Best Management Practices as provided in the Alabama Handbook for Erosion Control, Sediment Control, and Stormwater Management on Construction Sites and Urban Areas which can be found at <https://alconservationdistricts.gov/resources/erosion-and-sediment-control/>.
- GC-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.
- GC-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.

- GC-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 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 to determine requirements for further action. For each project proposed to be authorized under a 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.
- GC-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.
- GC-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:

- SP-1 No work shall be performed under authority of this PGP 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.
- SP-2 Conformance with descriptions and quantities contained herein does not necessarily guarantee consideration and/or subsequent authorizations.
- SP-3 The time limit for completing work authorized under authority of this PGP 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 of work if for a period of more than one (1) week, resumption of work, and its completion.
- SP-4 A complete copy of the PGP document with the stated General Conditions, Special Conditions, and Water Quality Certification shall be maintained at the Georgia Power Lakes Shoreline Management website (<http://georgiapowerlakes.com/bartlettsferry/shoreline-management/>). 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 and the website location for reference.
- SP-5 Construction debris, liquid concrete, old rip-rap, old support materials, or litter shall not be placed in streams or in areas where migration into streams, wetlands, or other waters of the United States (i.e. GPC lakes) could reasonably be expected to occur.

SP-6 All work performed under authority of the PGPs is subject to the conditions contained in the attached Water Quality Certification, issued by the Alabama Department of the Environment (ADEM), pursuant to Section 401 of the Clean Water Act.

SP-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.

SP-8 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.