



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
1104 NORTH WESTOVER BOULEVARD, UNIT 9
ALBANY, GEORGIA 31707

JUNE 10 2016

Regulatory Division
SAS-2010-01182

JOINT PUBLIC NOTICE

Savannah District/State of Georgia

For the Re-issuance of Programmatic General Permits (PGP)
PGP0069, PGP0070, PGP0071, PGP0072, PGP0073, PGP0074, PGP0075,
PGP0076, PGP0077, PGP0078, PGP0079, PGP0080 and PGP0081,
for Structures and Work in Seventeen Lakes Owned and Operated
by Georgia Power in the State of Georgia.

The Savannah District, U.S. Army Corps of Engineers, by means of this notice, hereby announces a proposal to re-issue Department of the Army Programmatic General Permits (PGPs) PGP0069, PGP0070, PGP0071, PGP0072, PGP0073, PGP0074, PGP0075, PGP0076, PGP0077, PGP0078, PGP0079, PGP0080 and PGP0081 pursuant to Section 404 of the Clean Water Act (33 United States Code (U.S.C.) 1344) and Section 10 of the Rivers and Harbors Act (33 U.S.C. 430), for a period of five years, with minor grammatical and clarifying changes, updated application forms and revised Terms and Conditions.

The types of structures and work that would be authorized under these PGPs includes construction and maintenance of dock facilities, boat slips, boat ramps, bank protection, mooring dolphins, channels, maintenance dredging and debris removal. A copy of the previously issued PGPs is enclosed. Individuals intending to build structures or perform work under authority of these PGPs must submit an application to Georgia Power in accordance with the enclosed Application/Notification Procedures, and obtain written authorization from Georgia Power prior to beginning work.

Activities authorized by these PGPs are also subject to additional regulation by other laws which may be administered through officials of other local, State, or Federal agencies (see permit conditions and further information).

BACKGROUND

PGPs are authorized by the District Engineer for activities which are substantially similar in nature and cause only minimal individual and cumulative environmental impacts; and 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 (see 33 Code of Federal Regulations (CFR) Parts 322.2(1), 325.2(e), and 330).

On March 27, 2000, the Corps originally issued Regional Permits (RP) to authorize minor work and activities on seventeen lakes that managed by the Georgia Power Company for electrical power generation, recreation, flood control and adjacent property use. These multiple uses, particularly the adjacent property use, created a need for the RPs. These PRs were very similar to the current PGPs; and expired March 27, 2005. The first PGPs were issued for a five-year period from September 1, 2006 to September 1, 2011. The PGPs were re-issued on January 11, 2012, and will expire on January 10, 2017. It is the intent of the Corps to re-issue the PGPs, with amendments as necessary.

Location of Lakes Covered by Programmatic General Permits: Work authorized under the proposed PGPs would be performed in and adjacent to seventeen lakes that are owned and operated by Georgia Power, within the State of Georgia, in Burton, Butts, Chambers, Daugherty, Fulton, Green, Habersham, Hancock, Harris, Jasper, Morgan, Muscogee, Newton, Putnam, Rabun and Stephens Counties. See Tables 1 and 2 below and the enclosed map for information on the location of the 17 Georgia Power lakes where use of the below-described PGPs are proposed to be authorized.

Only those portions of the Georgia Power lakes located within the State of Georgia are covered by the PGPs. Please note that although Alabama and South Carolina counties are listed for location purposes, the Savannah District is not proposing to authorize any work outside of the State of Georgia under the authority of the PGPs.

Table 1. Georgia Power Lakes Subject to Jurisdiction under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.

Lake	Latitude/ Longitude	State and Counties
Goat Rock Lake	32.6056 -85.0673	Georgia – Harris Alabama – Lee
Lake Harding (Bartlett’s Ferry)	32.6578 -85.0836	Georgia – Harris Alabama – Chambers & Lee
Langdale	32.8086 -85.1595	Georgia – Harris Alabama – Chambers
Morgan Falls	32.9606 -84.3803	Georgia – Cobb & Fulton
North Highland	32.4895 -84.9886	Georgia – Muscogee
Lake Oliver	32.5091 -84.9895	Georgia- Muscogee Alabama – Lee
Riverview	32.8000 -85.1521	Georgia – Harris Alabama – Chambers
Lake Worth (Flint River Project)	31.6013	Georgia – Daugherty

	-84.1321	
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Table 2. Georgia Power Lakes Only Subject to Jurisdiction under Section 404 of the Clean Water Act.

Lakes	Latitude/ Longitude	State and Counties
Lake Burton	34.7861 -83.5345	Georgia – Rabun
Lake Jackson (Lloyd Shoals)	33.3125 -83.8348	Georgia – Butts, Jasper & Newton
Lake Oconee (Wallace Dam)	33.3500 -83.1548	Georgia – Green, Hancock, Morgan & Putnam
Lake Rabun (Terrora/Mathis Dam)	32.9606 -84.3803	Georgia – Rabun
Lake Seed (Nacoochee)	34.7528 -83.5006	Georgia – Rabun
Lake Sinclair	33.1341 -83.2013	Georgia – Baldwin, Hancock & Putnam
Tallulah Lake (Tallulah Falls)	34.7331 -83.3875	Georgia – Rabun
Lake Tugalo	34.7085 -83.3513	Georgia – Habersham & Rabun South Carolina - Oconee
Lake Yonah	34.6691 -83.3353	Georgia – Habersham & Stephens South Carolina – Oconee

Scope: The scope of the PGPs includes only those activities which are considered to be minor in nature and would cause only minimal individual and cumulative impacts. Areas eligible for the PGPs are only those areas within the licensed Georgia Power Project Boundary designated by the Federal Energy Regulatory Commission, and within the State of Georgia. All proposals are required to be consistent with the guidelines and limitations set forth in the conditions of the PGPs and Georgia Power Shoreline Management Plan, and must be approved in writing by Georgia Power prior to construction.

**ELIGIBLE STRUCTURES AND ACTIVITIES
GEORGIA POWER PROGRAMMATIC GENERAL PERMITS**

PGP0069 - Construction and/or maintenance of fixed structures: Construction and maintenance of non-commercial piers, docks, wharves, boat shelters, boat houses, hoists, gazebos, sun decks, marine railways, stairways and walkways involving no fill in wetlands. Floating Docks, boat houses and boat shelters shall not be constructed over wetlands. Stationary docks and piers extending over wetlands should be elevated a

minimum of 4 feet above the wetland substrate to prevent total shading of vegetation, substrate, or other elements of the aquatic environment. (Section 10)

PGP0070 - Construction of non-commercial boat slips: Dredging of less than 500 cubic yards of material from below mean high water or the ordinary high water mark for non-commercial boat slips. The depth of the boat slip shall be no greater than the depth of the water leading to the slip. 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. (Sections 10 and 404)

PGP0071 - Construction and modification of boat ramps or marine ways: Dredging and/or filling of less than 250 cubic yards below mean high water or the ordinary high water mark. 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. (Sections 10 and 404)

PGP0072 - Riprap for shoreline, bank, and channel protection: No vegetated wetland may be filled. Should the shore, bank or channel require dressing, the bedding fill below the ordinary high water mark or the mean high water line may not exceed an average of 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 or the mean high water line. Note: If a channel is being protected by riprap, the backfill is limited to 1 cubic yard per linear foot for each side. 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. Groins, jetties, or solid structures perpendicular to the shore or bank are not authorized under this permit. (Sections 10 and 404)

PGP0073 - Bulkheads, sea walls and other standard shoreline protection/stabilization devices roughly paralleling, and at, the shoreline or bank: Bulkheading is limited to a total project length of 1,000 linear feet. However, the protection must be along the existing shoreline. The amount of backfill may not exceed an average of 1 cubic yard below the ordinary high water mark, per linear foot of area being protected. Note: If a channel is being protected by bulkhead, the backfill is limited to 1 cubic yard per linear foot for each side. 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. Appropriate filter fabric material is required. Groins, jetties, or solid structures perpendicular to the shore or bank may not be authorized under this permit.

Furthermore, this permit may not be used to regain land lost to erosion, or otherwise accrete land. Only clean earthen fill, free of waste, metal and organic trash, unsightly debris, cultural resources, etc., may be used. Rip-rap will be placed at the base of all bulkheads and sea walls and will extend a maximum of 4 feet water-ward on a 2 percent slope. 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)

PGP0074 - Non-commercial mooring pilings and dolphins: The authorization of structures for the mooring of house boats is specifically excluded from this general permit. (Section 10)

PGP0075 - 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, vegetated shallows 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, Individual Permits or Exemptions. 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. (Sections 10 and 404)

PGP0076 - Maintenance dredging of existing boat slips, canals, or navigation channels: Maintenance dredging is limited to 500 cubic yards. The depth shall be no greater than the design depths and the depth of the waters 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. (Sections 10 and 404)

PGP0077 - Maintenance dredging of existing ditches: Maintenance is limited to the dredging of a maximum of 500 cubic yards of material to return the area to the original bottom depth, width, and length. Non-woody wetland and aquatic vegetation which has invaded previously dredged areas may be removed during maintenance. 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)

PGP0078 - 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 and organic trash, unsightly debris, cultural resources, etc., may be used. (Sections 10 and 404)

PGP0079 - 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 Corps and U.S. Fish and Wildlife Service if located in a jurisdictional area. (Section 10 and 404)

PGP0080 - Fish havens, fish reefs, fishery enhancement, mariculture and aquaculture activities: These include spawning bed renovation, weed removal, fish attracting devices, trolling alleys, etc. These activities will be coordinated with the Georgia Department of Natural Resources at 1-888-373-5947. (Sections 10 and 404)

PGP0081 - Normal operation and maintenance activities associated with Federal Energy Regulatory Commission requirements, as amended from time to time: No new work is authorized unless otherwise described in these PGPs, or separately authorized by Nationwide Permit. (Sections 10 and 404)

GENERAL CONDITIONS

1. Any modification, suspension, or revocation of one of the PGPs shall not be the basis for any claim for damages against the United States.
2. No attempt shall be made by a permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by any of the PGPs.
3. If and when a permittee desires to abandon the activity authorized by these PGPs, unless such abandonment is part of a transfer procedure by which a permittee is transferring their interests herein to a third party and which it is agreed to in writing by Georgia Power, the permittee must restore the area to a condition satisfactory to Georgia Power.
4. The permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by waves from passing vessels. The issuance of these

PGPs does not relieve the permittee from taking all proper steps to ensure that the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

5. The permittee must maintain the activity authorized by the PGPs good condition and in conformance with the terms and conditions of the PGPs.

6. Georgia Power or, his /her authorized representative shall be allowed ingress/egress of the permittee's property as necessary to inspect facilities and/or activities under permit. The applicant/permittee shall have no claim for damages of any character on account thereof against the United States or any officer, agent or employee thereof.

7. Activities not specified in these PGPs or which exceed the limitations of these permits requires prior authorization under a Department of the Army General or Individual permit from the Corps. The District Commander may also require individual permit authorization on a case-by-case basis if he determines authorization under these PGPs for a specific project might be contrary to the public interest. For additional information on the Savannah District's Regulatory Program, please visit <http://www.sas.usace.army.mil/regulatory/index.html>.

8. The District Commander may, by following the procedures outlined in the Corps Regulatory Programs (33 CFR 325.7) can modify, suspend or revoke one or more of these PGPs for an individual activity, a category of activities, or a geographic area if he feels it would be in the public interest. The general public would be notified of such action by public notice. If one or more of the PGPs were revoked, any applicant may apply for an Individual Permit.

9. If the Secretary of the Army or his authorized representative determines there has been a violation of the terms and conditions of the PGPs, he may suspend or revoke the authorization for an individual project under one or more of the PGPs. In addition, failure to comply with the terms and conditions of the PGPs may result in removal of the structures, restoration of the waterway and/or imposition of penalties as provided by law.

SPECIAL CONDITIONS

1. Anyone intending to use one or more of these PGPs shall be required to notify Georgia Power in writing prior to beginning work. No work in waters of the United States can proceed until the applicant receives written notification from Georgia Power that the work is within the scope of the applicable PGPs(s) and is permitted pursuant to other programs administered through Georgia Power (such as consistency with the Shoreline Management Plan). The proponent's notification must include all information

required on the applicable application form and the applicant's written intention to comply with all terms and conditions of the PGPs.

2. The time limit for completing the work authorized under authority of these PGPs will be specified by Georgia Power. The permittee shall notify Georgia Power of the time the authorized activity is commenced and completed. Be advised that that work authorized by Georgia Power must be completed by the expiration date of the PGPs. Work that is authorized by Georgia Power under authority of the PGPs, but which is not completed prior to expiration of the PGPs, must be re-authorized by Georgia Power under authority of subsequent PGPs, if re-authorized by the Corps.

3. Record keeping for use of PGPs and reporting use PGPs to the Corps is the responsibility of Georgia Power, Land Department Field Offices (Field Offices). Each Field Office will keep records of issued Georgia Power permits, which will include verification that the authorized project was determined to be within the scope of a PGP(s). Within 15 days of the end of each quarter of the calendar year (i.e., March, June, September, and December), Field Offices will provide the Corps with a "Quarterly Report," listing all projects permitted by Georgia Power during the preceding quarter. Quarterly Reports will include the following minimum information: a brief project description; the applicable PGP; Georgia Power permit number (tracking number) assigned to the project; and the result of any inspection that may have been conducted on the project site.

4. Each Georgia Power Field Office will keep records of compliance inspections conducted on verified PGP projects. Within 15 days of the end of each quarter of the calendar year, each Field Office will provide the Corps with "Quarterly Compliance Inspection Reports," documenting any inspection(s) performed on completed projects for the preceding quarter. These reports will include the following minimum information: Georgia Power permit number; the date of the inspection; and whether each project was found to be in compliance with the terms and conditions of the PGP(s).

5. Georgia Power Field Offices will permanently retain a file reflective of all projects verified to comply with a PGP(s), by lot number and permit number, and subsequent compliance inspections. The file will include written authorization requests made to Georgia Power, project/activity plans and drawings, Georgia Power field inspection verification stamp, lease agreements and any other lot related information. All files will be available upon request.

6. Flotation units of floating facilities shall be constructed of material that will not become waterlogged or sink when punctured. On all new docks and boat mooring buoys, flotation shall be of materials which will not become waterlogged (not over 1-1/2 percent by volume ASTM), is resistant to damage by animals, and will not sink or contaminate the water if punctured. No metal covered or injected drum flotation will be

allowed. Foam bead flotation that is not subject to deterioration through loss of beads or meets the above criteria, and has a minimum density of 1.2 pound/cubic foot is authorized. Foam bead flotation with a density of 1.01 pound/cubic foot, but does not otherwise meet the above criteria, is authorized provided it is encased in an approved protective coating, which enables it to meet the specifications above. An approved coating is defined as warranted by the manufacturer for a period of at least eight years against cracking, peeling, sloughing and deterioration from ultra-violet rays, while retaining its resiliency against ice and bumps by watercraft. Existing flotation will be authorized until it has severely deteriorated and is no longer serviceable or capable of supporting the structure, at which time it should be replaced with approved flotation.

7. Floating facilities shall be securely attached in accordance with the approved plans by means of pilings, which do not obstruct general public use of shoreline or adversely affect the natural terrain of vegetation. Anchoring to vegetation is prohibited.

8. All work performed under authority of the PGPs is subject to the conditions contained in the attached Water Quality Certification, issued by the Georgia Department of Natural Resources, Environmental Protection Division, pursuant to Section 402 of the Clean Water Act.

9. No authorization shall be issued under these PGPs which would impact, affect, or otherwise degrade any cultural resources which are listed in or nominated for listing in the National Register of Historic Places. This includes any future sites that become listed or nominated.

10. Georgia Power shall require an applicant for use of these PGPs to conduct a shoreline archaeological survey if there is a known or suspected cultural resource site in the vicinity of a proposed project area.

11. If the permittee or the permittee's contractors discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by any of the PGPs, Georgia Power shall be immediately notified. Within 24 hours of permittee notification, Georgia Power shall notify the Corps to determine requirements for further action.

12. The activities authorized by these PGPs will not jeopardize a threatened or endangered species as identified under the Endangered Species Act, or destroy or adversely modify the critical habitat of such species.

13. If the permittee or the permittee's contractors discover any federally listed threatened or endangered species and/or their habitat while accomplishing the activities authorized by these PGPs, Georgia Power shall be immediately notified. Within 24

hours of permittee notification, Georgia Power shall notify the Corps to determine requirements for further action. The Corps 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.

14. The permittee agrees to make every reasonable effort to execute the work authorized herein in a manner so as to minimize any adverse impact on fish, wildlife, and natural environmental values.

15. These PGPs do not obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

16. Prior to the commencement of construction activities for this activity, the permittee shall insure that this project complies with all applicable rules, requirements, and/or regulations of the Federal Emergency Management Agency and/or the Georgia Floodplain Management Office with regard to construction activities in designated floodplains and/or floodways prior to commencement of work activity, to include revisions to the National Flood Insurance Program maps if required.

17. All work conducted under these PGPs shall be located, outlined, designed, constructed and operated in accordance with the minimal requirements as contained in the Georgia Erosion and Sedimentation Control Act of 1975, as amended." Utilization of plans and specifications as contained in "Manual for Erosion and Sediment Control, (Latest Edition)" published by the Georgia Soil and Water Conservation Commission or their equivalent will aid in achieving compliance with the aforementioned requirements. The latest edition of the manual can be accessed at www.gaswcc.org.

18. The permittee shall obtain and comply with all appropriate Federal, state, and local authorizations required for this type of activity. A stream buffer variance may be required. Variances are issued by the Director of the Georgia Environmental Protection Division (Georgia EPD), as defined in the Georgia Erosion and Sedimentation Control Act of 1975, as amended. Information concerning variances is available at the Georgia EPD's website at www.epd.georgia.gov or by contacting the Watershed Protection Branch at (404) 463-1511.

19. No work shall be conducted under any PGP that requires discharge of wet or otherwise uncured concrete below the ordinary high water mark unless the concrete is contained within waterproof forms until the concrete cures.

20. The discharge of dredged or fill material into waters of the United States shall consist of suitable material free from toxic pollutants in toxic amounts. All 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.

21. Construction debris, liquid concrete, old riprap, old support materials, or other litter shall not be placed in streams or in areas where migration into streams and/or wetlands could reasonably be expected.

22. Dredged material disposal sites shall be identified and approved by Georgia Power prior to the commencement of work.

23. Unless specifically authorized herein, these PGPs do not authorize fill in wetlands or other special aquatic sites.

24. Use of the PGPs is prohibited for projects that would cause or perpetuate drainage of wetlands or other waters of the United States.

25. The permittee(s) shall ensure that all contractors, subcontractors, and other personnel performing the permitted work are fully aware of the permit's terms and conditions.

26. The PGPs are effective on the date of the District Commander's signature.

FURTHER INFORMATION

1. Congressional Authorities: Authorization to undertake the activities described above are issued pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this authorization:

a. These permits do not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. These permits do not grant any property rights or exclusive privileges.

c. These permits do not authorize any injury to the property or rights of others.

d. These permits do not authorize interference with any existing or proposed Federal project.

2. Limits of Federal Liability. In issuing these permits, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted, unpermitted activities, or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, to other permitted or unpermitted activities, or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
3. Re-evaluation of Permit Decision. The Corps may re-evaluate its decision on an activity authorized by a PGP at any time the circumstances warrant. Circumstances that could require a re-evaluation include, but are not limited to, the following:
- a. The permittee's failure to comply with the terms and conditions of the permit.
 - b. The information provided by the permittee in support of his permit application proves to have been false, incomplete, or inaccurate.
 - c. Significant new information surfaces which the Corps 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, and 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 the permittee to comply with the terms and conditions of his permit authorization and for the initiation of legal action where appropriate. The permittee will be required to pay for any corrective measures ordered by the Corps, and if the permittee fails to comply with such directive, the Corps may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill the permittee for the cost.

STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify these PGPs at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required for a Federal Permit to conduct activity in, on, or adjacent to the waters of the

State of Georgia. Copies of the proposed PGPs and supporting documents relative will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the date of this notice and state the reasons or basis of objections or request for a hearing. The proposed PGPs and supporting documents can be reviewed in the Savannah District, U.S. Army Corps of Engineers, Regulatory Division, 100 West Oglethorpe Avenue, Savannah, Georgia 31401.

State-owned Property and Resources: The applicant may also require assent from the State of Georgia, which may be in the form of a license, easement, lease, permit or other appropriate instrument.

U.S. ARMY CORPS OF ENGINEERS

The Corps must consider the purpose and impacts of the proposed work, prior to a decision on re-issuance of the PGPs.

Cultural Resource Assessment: Special Condition 9 of the proposed PGPs state that no authorization shall be issued under these PGPs which would impact, affect, or otherwise degrade any cultural resources which are listed in or nominated for listing in the National Register of Historic Places. This includes any future sites that become listed or nominated. Special Condition 10 states that Georgia Power shall require an applicant to conduct a shoreline archaeological survey if there is a known or suspected site in the vicinity of the project area. Special Condition 11 states that if the permittee discovers any previously unknown historic or archaeological remains while accomplishing the activity authorized by any of these permits, he or she must immediately notify Georgia Power. Within 24 hours of permittee notification, Georgia Power shall notify the Savannah District Office at (912) 652-5768 to determine requirements for further action. If any National Register listed or eligible for listing cultural resource is located within a proposed project's potential area of affect, the Corps would conduct consultation pursuant to Section 106 of the National Historic Preservation Act. Only work or activities determined to have no adverse effect on National Register listed, or eligible for listing cultural resources would be eligible for authorization under the proposed PGPs.

Endangered Species: Based on available information, none of the 17 Georgia Power lakes contain critical habitat for federally protected threatened or endangered species. Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (U.S.C. 1531 et seq.), the Corps has determined that work and activities that would be

authorized by the PGPs would have no effect on any federally protected threatened or endangered species. If, in the future, the Corps determines that work authorized by one or more of the PGPs may affect a federally listed species, the District Commander may determine that consultation pursuant to Section 7 of the Endangered Species Act is necessary. We request concurrence with our findings from the U.S. Department of the Interior, U.S. Fish and Wildlife Service and the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service.

Public Interest Review: The decision whether to re-issue the PGPs will be based on an evaluation of the probable impact including cumulative impacts on the public interest. 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 proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, 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 and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

Application of Section 404(b)(1) Guidelines: The activities that would be authorized by the PGPs may result the discharge of dredged and/or fill material into the waters of the United States. The Corps evaluation of the impact of these activities on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

Individual Permits: Activities which are not specified in these PGPs or which exceed the limitations outlined in the PGPs may require Individual Department of the Army authorization from the Corps, before work is started. The District Commander may also require individual authorization on a case-by-case basis if he determines authorization under the PGPs for a specific project would be contrary to the public interest or have more than minimal individual or cumulative environmental impacts.

Consideration of Public Comments: The Corps 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 re-issuing the PGPs. Any comments received will be considered by the Corps to determine whether to re-issue, modify, condition or not re-issue the PGPs. 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 will be used in the preparation of an Environmental Assessment 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.

Public Hearing: Any person may request, in writing, within the specified comment period, that a public hearing be held to consider re-issuance of the PGPs. Requests for public hearings shall state, with particularity, the reasons for requesting a hearing. The decision whether to hold a public hearing is at the discretion of the District Commander, or his designated appointee, based on the need for additional substantial information necessary to evaluate the proposal.

Comment Period: Anyone wishing to comment on the proposed re-issuance of the PGPs should submit comments in writing to the Commander, U.S. Army Corps of Engineers, Regulatory Division, 1104 North Westover Boulevard, Albany, Georgia 31707, no later than 30 days from the date of this notice. Please refer to SAS-2010-01182 in your comments.

3 Encls

1. Georgia Power Dredging Permit Application
2. Georgia Power Construction Application Form
3. Map of Georgia Power project locations

Permit No.: _____
File No.: _____

DREDGING PERMIT APPLICATION

This application must be fully completed by the property owner before the work will be considered for review. Incomplete applications will not be accepted.

Name: _____ Date of Application: _____
Address: _____
Phone: (Home) _____ (Work) _____

Exact Location of Work:
Address: _____
Reservoir: _____ River or Creek: _____
Subdivision: _____ County: _____

Name and Address of Contractor Performing Work: _____

Phone: _____

Explain Reason(s) Work is Required: _____

Description of Proposed Work: _____

Equipment to be Used: _____

Amount of Material to be Removed _____ Cubic Yards.

Where will Dredged Material be Placed? _____

How will Dredged Material be Stabilized? _____

Date Work will Begin: _____ Completed Date: _____

Note: once work has commenced, the work shall continue without interruption and no piecemeal work will be permitted.

In addition to the completed application, the following attachments are required:

_____ Provide a vicinity map showing the location of the proposed site along with a written description of how to reach the site from major highways or landmarks.

_____ Provide accurate drawing of the project site with existing structures and proposed activities shown in detail. All drawings must be to scale or with dimensions noted on drawing and must show a plan view noting property lines, and a cross section or elevation

_____ Provide photos of the area; before, during, and after dredging takes place. All photos must be submitted to the Land Department within 7 days of work completion.

_____ All plans and attachments must be of reproducible quality on 8 ½ inch x 11 inch paper.

_____ Dredged material may not be placed on the lands of Georgia Power Company without written approval from a Land Department representative. If the dredged material is not to be placed on the Permittee's property or that of Georgia Power, proof of permission to place the material on the property of others must be provided to Georgia Power along with the property owners address and telephone number.

_____ If a Land Disturbing Permit is required by the County in which the dredging is to take place, this approval must be obtained and a copy of the permit provided to Georgia Power Company prior to issuance of a Georgia Power Dredging Permit.

Georgia Power Company will review the Dredging Application, along with items addressed above, on-site. If the proposed work is deemed appropriate and there will be no adverse effect upon the project resources or environment, a permit will be issued. If you have any questions concerning this application, you may contact a Georgia Power Company Land Department Shoreline Management representative at (706) 322-0228, or write Georgia Power Company, Land Department, 1516 Bartletts Ferry Road, Fortson, Georgia 31808.

I certify that I am familiar with and responsible for the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate.

Applicants Signature

Georgia Power
Lake Jackson Land Management Office
Phone 404-954-4044, Fax 404-954-4050

CONSTRUCTION PERMIT APPLICATION

GP File Number: _____ Area: _____ County: _____

Applicant Name: _____

Property Address: _____

Contact: Home _____ Cell _____ Email _____

<u>Dock / Boathouse / Combination Structure:</u> <input type="checkbox"/> New <input type="checkbox"/> Rebuild <input type="checkbox"/> Repair <input type="checkbox"/> Floating <input type="checkbox"/> Stationary	
Overall Dimension: _____	Area Under Roof: _____ Number of Slips: _____
Dock Dimension: _____	Interior Wall Height: _____ Length Over Water: _____
Roof: <input type="checkbox"/> Hip <input type="checkbox"/> Gable <input type="checkbox"/> Shingle <input type="checkbox"/> Approved Metal	Color: _____ Pitch: _____
Tentative Start Date: _____	Tentative Completion Date: _____
Contractor: _____	Phone: _____

<u>Dock:</u> <input type="checkbox"/> New <input type="checkbox"/> Rebuild <input type="checkbox"/> Repair	Type: <input type="checkbox"/> Floating <input type="checkbox"/> Stationary
Dimensions: _____	Walkway / Ramp Dimensions: _____ Length Over Water: _____
Decking Material: _____	Total Platform Area: _____ square feet
Tentative Start Date: _____	Tentative Completion Date: _____
Contractor: _____	Phone: _____

<u>Seawall:</u> <input type="checkbox"/> New <input type="checkbox"/> Rebuild <input type="checkbox"/> Repair	NOTE: Rip Rap required at the lake-side base of all new seawalls
<small>Seawalls will only be permitted if Georgia Power determines no other means of stabilization will control the erosion problem. The maximum height of the seawall is 1' above the normal summer elevation or the point of wrested vegetation, whichever is higher. New seawall construction requires a variance approval from the GA Environmental Protection Division of DNR</small>	
Length: _____ linear feet Height: _____	Location staked for inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No
Materials: <input type="checkbox"/> Wood <input type="checkbox"/> Concrete <input type="checkbox"/> Concrete Block <input type="checkbox"/> Rip Rap Only <input type="checkbox"/> Manufactured Block	
LIA Approval Obtained? <input type="checkbox"/> Yes <input type="checkbox"/> No	EPD Variance Required? <input type="checkbox"/> Yes <input type="checkbox"/> No
Tentative Start Date: _____	Tentative Completion Date: _____
Contractor: _____	Phone: _____

Sketch proposed structure:

Pre-drawn plans may be submitted in lieu of, or in addition to, above sketch.

It is the responsibility of the applicant to obtain any additional permits required by the County. No structure can be placed on Georgia Power property without a valid Georgia Power permit card posted, clearly visible from the lake.

Permits are no longer valid after completion date noted on permit card. Contact Georgia Power at 404-954-4044 to extend permit or re-apply for another permit if project exceeds completion date.

I have read and understand the Shoreline Management Guidelines booklet. I understand that any changes made after approval of this permit must be approved by Georgia Power.

This permit issued pursuant to and consistent with the applicable Programmatic General Permits issued on September 1, 2006.

Signature

Date

