



**US Army Corps  
of Engineers®**

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**ENVIRONMENTAL ASSESSMENT  
SHORELINE MANAGEMENT PLAN  
HARTWELL LAKE**

**US ARMY CORPS OF ENGINEERS  
SAVANNAH DISTRICT**

**MAY 2020**

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## 1.0 INTRODUCTION

This Environmental Assessment (EA) evaluates the environmental effects of the proposed changes to the Hartwell Lake and Dam Project Shoreline Management Plan. This EA has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality (CEQ) regulations (40 C.F.R. Parts 1500-1508), and Engineer Regulation 200-2-2.

The Hartwell Lake and Dam Project is operated by the U.S. Army Corps of Engineers (USACE) and includes approximately 56,000 acres of water surface area, 23,563 acres of land, and 962 miles of shoreline. USACE is the federal agency responsible for maintaining and operating the dam, as well as the lands and water that comprise and surround the lake.

Management of Hartwell Lake and Dam Project is in accordance with Engineer Regulations (ERs) that prescribe management policies and management plans for all USACE civil works water resource projects (Table 1). The Master Plan (MP) guides the comprehensive management and development of all project recreational, natural, and cultural resources throughout the life of the water resource project. The Operations Management Plan details implementation of several program areas that were covered in the MP. General Plans govern natural resources management and are prepared when the lands or waters are under the administration of other agencies or were acquired for mitigation purposes. Cultural Resources Management Plans contain information about cultural resources, status of inventories, standard operating procedures and management of historic properties. Shoreline Management Plans (SMPs) exclusively address private shoreline use by adjacent property owners at civil works water projects. The SMP is part of the Operational Management Plan.

**Table 1: Management Policies and Plans**

<b>Table 1. Management Policies and Plans</b>				
<b>ER</b>	<b>Title</b>	<b>Application</b>	<b>Plan/Plans</b>	<b>See Also</b>
1130-2-550	Recreation Operations and Maintenance	Management of Recreation Programs	Master Plan; Operations Management Plan	EP1130-2-550
1130-2-540	Environmental Stewardship Operations and Maintenance Policies	Land Management policy for USACE administered project lands and water	General Plans for natural resources management; Cultural Resources Management Plan	EP 1130-2-540
1130-2-406	Project Operation - Shoreline Management at Civil Works Projects	Management of Shorelines at Civil Works projects	Shoreline Management Plan	36 CFR § 327.30

Title 36 of the Code of Federal Regulations (CFR), Part 327 (titled “Rules and Regulations Governing Public Use of Water Resource Development Projects Administered by the Chief of Engineers”) and particularly Section 327.30 (36 C.F.R. § 327.30), titled “Shoreline Management on Civil Works Projects,” and Engineer Regulation (ER) 1130-2-406, titled “Shoreline Management at Civil Works Projects,” require that a SMP be prepared for each USACE project where private shoreline use is allowed. The current Hartwell SMP was approved in 2007. The ER also requires that the SMP be reviewed at least every 5 years and revised as necessary. SMP updates must comply with the National Environmental Policy Act of 1969 (NEPA), as amended, and include public participation to the maximum extent practicable.

## 1.1 Background

Pursuant to 36 C.F.R. § 327.30 and ER 1130-2-406, it is the policy of the USACE to protect and manage shorelines of all Civil Works water resources development projects in a manner that promotes the safe and healthful use of the shoreline by the public while maintaining environmental safeguards to ensure a quality resource for use by the public. The objectives include maintenance of the aesthetic and environmental characteristics of the Reservoir for the full benefit of the general public.

## 1.2 Description of the Project Area

Hartwell Lake is a man-made lake bordering Georgia and South Carolina on the Savannah, Tugaloo, and Seneca Rivers. The lake is created by Hartwell Dam located on the Savannah River seven miles below the point at which the Tugaloo and Seneca Rivers join to form the Savannah River, extending 49 miles up the Tugaloo and 45 miles up the Seneca at 660 feet Above Mean Sea Level (AMSL). Interstate 85 bisects Hartwell Lake and makes the area easily accessible to visitors.

## 1.3 Shoreline Allocation

Shoreline allocations provide the basic framework for the development, management, and operation of all Hartwell facilities and resources. To meet the objectives of the SMP, it is essential to manage (by permit or license), the type, number, and location of private facilities and activities on public lands and water. To administer the shoreline program and ensure a proper balance between authorized purposes, the Hartwell Lake shoreline was allocated into four categories defined in 1 - 4. A master map depicting shoreline allocations is available for viewing at the Operations Project Manager's Office and on-line at [www.sas.usace.army.mil/lakes/hartwell](http://www.sas.usace.army.mil/lakes/hartwell). With 76 percent of the shoreline available for various types of private use permits/licenses, Hartwell Lake has one of the most liberal shoreline allocation plans of any USACE Water Resources Development Lake nationwide.

1. Limited Development Areas. Limited Development Areas (LDA) refers to areas where certain specific private uses may be authorized if a permit/license is obtained. Approximately 50 percent of the shoreline is allocated under this category. Private docks and certain land-based activities may be authorized in these areas, provided other conditions outlined in the SMP are met.
2. Protected Shoreline Areas. Protected Shoreline Areas are designated to maintain or restore aesthetic values; to protect fish and wildlife habitat and other environmental values; to protect cultural, historical, and archaeological resources; to protect channels for navigation; to restrict structures from water too shallow for navigation; and to protect areas that are subject to excessive siltation, erosion, rapid dewatering, or exposure to high wind, wave, or currents. Approximately 26 percent of the shoreline is allocated under this category.

Protected Shoreline Areas reduce conflicts between public and private use and maintain aesthetics, fish and wildlife habitat, cultural, or other environmental values. Additionally, shorelines subject to extensive public use are in this category. Docks, improved walkways, and utility rights-of-way are prohibited in protected areas. A limited amount of underbrushing and bank stabilization efforts can be considered in protected shoreline areas provided such

uses do not adversely impact the purposes for which the area was originally designated protected. Walkways and utilities licensed and installed in Protected Shoreline areas prior to January 1, 2008 will be honored to current and future owners provided the facilities are maintained in compliance with the license conditions.

3. Public Recreation Areas. Public Recreation Shoreline Areas consist of lands designated in the Project's Master Plan for present or future intensive recreational development. Approximately 24 percent of the shoreline is allocated under this category. These areas are designated for federal, state, and other public use, including commercial concessions. No private use facilities or activities will be permitted within a designated developed or undeveloped Public Recreation Area.
4. Prohibited Access Areas. Prohibited Access Shoreline Areas are reserved for project operation and include lands located in proximity to the hydropower structure, operational areas, and water intake structures. Less than 1 percent of the shoreline is allocated under this category. Prohibited Access Shoreline Areas are those in which public boating and pedestrian access are not allowed, or are restricted, for safety and/or security reasons. Private use facilities and activities are not permitted within these areas.

The allocations outlined above have been established and firmly adhered to for many years. Public Recreation and Protected Access Area allocations must be preserved to maintain balance between public and private use and to adequately manage for all authorized purposes. As demand for recreation areas increase, the undeveloped Public Recreation Areas will be available for future recreation development; however, some of these undeveloped recreation areas may remain undeveloped. These undeveloped recreation areas provide considerable value to Hartwell Lake to include timber, wildlife, aesthetics, and natural areas for general public uses such as hiking or picnicking.

The need or demand for changes to be made to existing allocations from Protected and/or Public Recreation to LDA was not demonstrated or documented. Only 6.5 percent of total comments USACE received during the comment period for this SMP update supported changing shoreline allocations at Hartwell Lake. Of these comments received, 45 percent were related solely to the reallocation of one specific parcel and were not seeking a comprehensive reallocation.

Maintaining a balance between private and public use of the resource is constrained since a significant amount of the undeveloped shoreline is currently allocated LDA. In order to make any changes to the allocations, a comprehensive lake-wide review of the shoreline allocations and the SMP would be necessary. It has been determined the time and cost estimates for a comprehensive review far exceed the budget of the current SMP update, therefore this update will not include a lake-wide reallocation review.

#### **1.4 Purpose and Need for the Proposed Action**

The Hartwell SMP was last updated in 2007 (<https://www.sas.usace.army.mil/Portals/61/docs/lakes/hartwell/shoreline.pdf>). Over the past 12 years, changes have occurred that warrant an update to the SMP. These include changes in policy, regulations, surrounding community growth, and recreational use. Pursuant to 36 C.F.R. § 327.30 and ER 1130-2-406, the objective of the updated SMP (being circulated with this EA) is to maintain a balance between permitted private uses, long-term natural resource protection, and public recreation opportunities. Specifically, the intended purpose of a SMP is to protect desirable environmental

characteristics of Civil Works lake projects and restore shorelines where degradation has occurred through private exclusive use. The SMP must protect public lands and should honor any past commitment. Public participation is also encouraged.

The proposed SMP update meets the following goals:

- Incorporates updates to policies and regulations pertaining to the shoreline of Hartwell Lake.
- Maintains aesthetic and environmental characteristics of the lake for the full benefit of the general public.
- Addresses shoreline allocations, rules, regulations, and other information relative to the Shoreline Management Program.
- Ensures that program management actions are based on current information and regulations through collaboration with the public, stakeholders, and subject matter experts.

## **2.0 ALTERNATIVES CONSIDERED**

Alternatives that meet the objectives and goals described above were considered during development of the proposed SMP. These alternatives, in addition to the No Action alternative, are described below.

### **2.1 No Action**

The No Action Alternative is the continued use of the 2007 Hartwell SMP. This would not allow the Hartwell Project to operate under an up-to-date SMP, in accordance with 36 C.F.R. § 327.30 and ER 1130-2-406.

### **2.2 Alternatives - Shoreline Management Plan Changes**

Each alternative was developed in accordance with the criteria outlined within the USACE shoreline management regulation 36 C.F.R. § 327.30 and ER 1130-2-406. The 18 initial alternatives (proposed changes to the 2007 SMP) are shown in Table 2.

**Table 2: Proposed Changes to Shoreline Management Plan**

<b>Table 2: Proposed Changes to Shoreline Management Plan</b>			
<b>Topic (SMP)</b>	<b>Section in EA</b>	<b>2007 SMP</b>	<b>Alternatives (Proposed SMP Change)</b>
9. Shoreline Use Permit (SUP) and License	4.3 Land Use	Were covered in the 2007 SMP as the Consolidated Use Permit.	1. Existing SUPs/Real Estate Licenses issued under previous SMPs will continue to be honored to current and future owners (except as noted in paragraph 15.a. Prior Commitments, pg. 15) provided compliance with permit/license conditions is maintained.
10. Private Docks, b. Access Requirements	4.3 Land Use	Fee simple ownership of adjacent private land w/ a minimum width requirement of 75 feet. Minimum 20 feet width required for all permits except a dock.	2. Minimum requirement of 75 feet of shared boundary line for all permitted facilities and activities.
10. Private Docks, d. Spacing	4.4 Safety	Not addressed.	3. Mooring of vessels, or other floating structures (inflatables, trampolines, etc.) at a dock cannot impede ingress/egress or navigation.
10. Private Docks, e. Water Depth	4.4 Safety	Not addressed.	4. Dependent upon site conditions, a determination to issue/modify a dock permit may be deferred if the lake level is < 656' AMSL or > 660' AMSL.
10. Private Docks, f. Standards for docks, (2) Color Restrictions	4.1 Aesthetics	Not addressed.	5. Any existing dock, if repainted or roof replaced, must comply with current color requirements.
10 Private Docks, f. Standards for docks, (3) Time Limits	4.3 Land Use	Not addressed.	6. A new dock cannot be installed until the previously permitted dock has been removed.
10. Private Docks, j. Dock Roofs and Sundecks	4.4 Safety	Jump gates were not specifically addressed in SMP but were never authorized.	8. No jump gates are permitted on second level.
10 Private Docks, k. Storage Compartments/Attachments	4.4 Safety	Security cameras were prohibited.	7. Security cameras are authorized to be installed on docks.
11. Community Docks, f. Underbrushing.	4.2 Vegetation	No limits were defined.	9. Underbrushing areas will be designated adjacent to limited development shoreline only and may be up to 50% of the shared boundary line, not to exceed 400 feet.
13. Underbrushing	4.2 Vegetation	Minimum 20 feet shared boundary required within an LDA to qualify for underbrushing	10. Minimum requirement of 75 feet of shared boundary line is required to qualify for underbrushing.
13. Underbrushing, a. Underbrushing Limits,0 (2)	4.3 Land Use	Invisible dog fences were not specifically addressed in SMP but were never authorized.	11. Invisible dog fences are specifically added as a personal item that is prohibited on public land.

14. Rights-of-Way	4.3 Land Use	In Limited Development Areas, improved walkways and utility rights-of-way could be issued if property shared minimum 75 feet boundary line, even without a dock.	12. Rights-of-Way and improved walkways are considered supporting facilities for a dock; therefore, they can only be permitted if a dock is authorized. Properties with less than 75 feet of shared boundary line within a Limited Development Area (LDA) with an existing dock may still be authorized for supporting facilities (utilities and improved walkway). Property adjacent to LDAs with > 20 feet of shared boundary line that are non-dockable; have until the implementation date of the new SMP to be approved for supporting facilities with installation due by expiration of the SUP.
14. Rights-of-Way, a. Electrical Service	4.4 Safety	All electrical services had to be certified by a state licensed electrician upon initial permit/license issuance, modification of electrical service, or upon change of ownership.	13. All electrical services must be certified by a state licensed electrician after initial issuance, renewal, or change of ownership.  Verbiage that all lighting is downshielded is incorporated into certification statement on electrical form.
14. Rights-of-Way, a. Electrical Service	4.3 Land Use	Not addressed in SMP.	14. Allow solar panels on dock and/or power pole for electrical services on public land only. Solar power does not require certification by a state licensed electrician.
14. Rights-of-Way, a. Electrical Service, (2)	4.3 Land Use	Landscaping lighting was prohibited.	15. Solar lighting along an improved walkway can be authorized. Solar lights are limited to 10 inches in height and must be spaced a minimum of 10 feet between lights. If solar lighting is installed, property would not qualify for a second light pole.
14. Rights-of-Way, c. Improved Walkways	4.3 Land Use	Not addressed in SMP.	16. Walkways and Rights-of-Way are considered supporting facilities for a dock and, therefore, can only be permitted if a dock is authorized.
14. Rights-of-Way, c. Improved Walkways, (2)	4.3 Land Use	Not addressed in SMP.	17. If the walkway is constructed with a loose aggregate material, the walkway must be bordered to prevent the aggregate material from washing or spreading outside the 6 feet maximum width.
14. Rights-of-Way, c. Improved Walkways, (3)	4.1 Aesthetics	Concrete must be colored by dye/stain to shades of dark green, black, brown, dark tan, and dark grey.	18. Concrete must be stained/dyed black or brown and the color must be maintained.

## 2.3 Alternatives Considered

None of the alternatives were eliminated early in the process. Each of them satisfies the criteria in the USACE shoreline management regulation, is implementable, and not cost prohibitive.

## 3.0 AFFECTED ENVIRONMENT AND IMPACTS

This section describes the environment of Hartwell Lake and contains a description of relevant resources that could be impacted by the project alternatives.

The following resources have been considered and found not to be affected by any of the proposed changes and, therefore, they will not be discussed further: Geology, Topography and Soils; Floodplains; Surface Hydrology; Water Quality; Air Quality; Noise; Hazardous and Toxic Waste Sites; Wetlands; Environmental Justice; Protection of Children; and Recreation.

### 3.1 Aesthetics

The natural beauty of Hartwell Lake is an aesthetic asset which enhances all recreational activities occurring around and on the lake.

### 3.2 Vegetation

The major forest types present are pine, pine-hardwood, and oak-hickory. Pine forest occurs on approximately 50 percent of the project lands and consists of shortleaf pine, loblolly pine, and Virginia pine. Approximately 25 percent of project lands include these native pines mixed with sweetgum, yellow poplar, white oaks, post oak, and water oak. Late successional hardwood forests cover 20 percent of the project area and consist of white oak, northern red oak, black oak, shagbark hickory, pignut hickory, mockernut hickory, hackberry, American beech, and sycamore. The remaining 5 percent of the land base has early successional species such as blackberries, persimmon, sweetgum, and a variety of grasses and forbs.

The northern portions of Hartwell project are in the foothills of the Southern Appalachian Mountains. As a result, vegetative diversity increases in these areas. Eastern white pine, eastern hemlock, cucumber tree, sweet shrub and mountain laurel have been found in these areas. Moreover, several state-listed rare forbs are known to occur on project lands in association with these Appalachian species. Faded trillium (*Trillium discolor*), Goldenseal, (*Hydrastis canadensis*) and Ozark bunchflower (*Veratrum woodii*) have been found on project lands in Stephens County, Georgia. Similarly, Oconee bells (*Shortia galacifolia*) have been found on project lands in Oconee County, South Carolina.

Due to the limited amount of public land surrounding Hartwell Lake and considerable private development immediately adjacent to public lands, extensive forest

management activities are limited. The goals of the Hartwell Project forest management program are to proactively manage timber resources, where feasible on larger tracts of public land, to promote the health, vigor, and diversity of project forests to support recreation and wildlife management programs, protect and improve water quality, improve public use and enjoyment of public lands, and provide a sustained yield of forestry products.

In areas where narrow shoreline buffer strips exist between adjacent private development and the lake, it is neither wise nor practicable to intensively manage forest resources. In these areas, USACE works closely with adjacent landowners to facilitate safe shoreline access for adjacent residents while minimizing impacts to the resource. Through permits, adjacent landowners may be authorized to conduct limited underbrushing on public land and cut dead/diseased trees that threaten private structures. In addition, open areas must be planted with USACE approved mixture of trees or let natural regeneration occur to re-establish beneficial vegetation. The goal is to provide safe access to the shoreline while maintaining a healthy stand of natural vegetation, which is critical to the health and sustainability of the Hartwell Project.

### **3.3 Land Use**

Maintaining public land in a “natural state” while allowing for access (via SUP’s/licenses) for the adjacent property owners is the current land use. Allowing the maximum amount of public land to remain “natural” benefits the resource in many aspects, as described below: the roots of trees and shrubs along the shoreline help hold soils in place, preventing erosion. The layers of vegetation present in a natural shoreline provide multiple layers of protection for the soil from the adverse impacts of hard rainfalls. Shoreline vegetation also traps sediment and pollutants, helping keep the water clean. Vegetative buffers provide an area where chemicals, pesticides, and fertilizers can decompose, rather than placing a load on the waterbody. Toxic pesticides are converted to non-toxic forms through biodegradation, which occurs in the vegetative buffer. The trees and vegetation also provide thermal cover and temperature moderation for the lake from summer temperature extremes, thus moderating the waterbody temperature. Many wildlife species use shoreline areas during all or part of their life cycle. Shoreline vegetation provides food, cover, nesting, and sanctuary for these animals. Eighty percent of the bird population around Hartwell Lake nests within 15 feet of the ground, making underbrush vitally important to their survival. These vegetative buffers also form the foundation of the wildlife food chain by providing a basic food source for insects and smaller birds and animals. A healthy vegetative buffer around Hartwell Lake is essential for maintaining the natural beauty of the lake and adding to aesthetic enjoyment.

The current SMP does not address DC solar power as an option for electrical service for the dock and/or light pole.

The current SMP does not specifically address invisible dog fencing however it plainly states any activity/facility not authorized by a permit/license is considered an encroachment or degradation of public property and a violation of 36 C.F.R. § 327.20.

### **3.4 Safety**

The objective of the USACE safety program is to provide a safe environment for project personnel and the visiting public. As stated in 36 C.F.R. § 327.30 and ER 1130-2-406, it is the policy of USACE to protect and manage shorelines of all civil works water resource development projects under USACE jurisdiction in a manner which would promote the safe and ethical use of these shorelines by the public while maintaining environmental safeguards to ensure a quality resource for use by the public. The objectives of all management actions would be to achieve a balance between permitted private uses and resource protection for general public use.

### **3.5 Protected Species**

A copy of the 2010 Memorandum of Agreement between the U.S. Army Corps of Engineers, Savannah District, and the U.S. Fish and Wildlife Service Concerning Protected Species Surveys at J. Strom Thurmond, Richard B. Russell, and Hartwell Lakes is on file at the Hartwell Operations Project Manager's Office. In accordance with this agreement, endangered species surveys are performed by qualified USACE team members prior to the initiation of any land disturbing activities to determine if endangered species or habitat is present in the affected area. This includes firebreaks, thinning, regeneration cuts, and developing food plots and openings, or any "action\*" authorized under USACE's Regulatory Jurisdiction including rip-rap or headwall placement. Furthermore, special efforts will be made to avoid critical habitats adjoining affected areas. Though not specifically protected by law, rare and infrequently occurring plants are also protected from disturbance.

The U.S. Fish and Wildlife Service (USFWS) Information, Planning and Conservation System (<http://ecos.fws.gov/ipac/>) website provides a current inventory of federally listed threatened and endangered species. There are no identified endangered species within the Hartwell Project area.

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\*"Action" is defined by the USFWS in the Endangered Species Glossary (<https://www.fws.gov/endangered/about/glossary.html>) as an activity or program of any kind authorized, funded, or carried out, in whole or in part, by a federal agency in the United States or upon the high seas, such as: (a) an action intended to conserve listed species or their habitat; (b) the promulgation of a regulation; (c) the granting of a license, contract, lease, easement, right of way, permit, or grant-in-aid; and (d) an action directly or indirectly causing modification to the land, water, or air.

Those species federally-protected by other laws include bald eagle, golden eagle, osprey, and peregrine falcon which may be transient visitors during migration. Habitat may exist for the federally-listed northern long-eared bat; however, there are no known occurrences, maternity sites, or hibernacula on the project. The bald eagle (*Haliaeetus leucocephalus*) is protected under the Federal Bald and Gold Eagle Protection Act, and species listed under the Migratory Bird Treaty Act.

Federally-listed threatened and endangered species having potential habitat or critical habitat at Hartwell Lake fee lands, as identified by the USFWS, can be found in Table 3.

**Table 3: Protected Species Potentially Present at Hartwell Lake**

	Status	Has Critical Habitat
<b>Flowering Plants</b>		
Dwarf-flowered Heartleaf	T	No
Mountain Sweet Pitcherplant	E	No
Michaux's Sumac	E	No
Monkeyface Orchid	T	No
Small-whorled Pogonia	T	No
Persistent Trillium	E	No
Smooth Coneflower	E	No
<b>Mammals</b>		
Northern Long-eared Bat	T	No
Indiana Bat	T	Yes*

\* Critical habitat is designated, but not in the Hartwell Project area

### 3.6 Cultural Resources

The archaeological record details a long and continuous occupation of the Savannah River Valley extending from the Paleoindian period (ca 14,000 to 8,000 BC) through the Historic period (post-1930 AD).

Construction of the Hartwell Dam prompted the first archaeological investigations of the area by Joseph Caldwell in 1952. The reconnaissance-level survey examined the uppermost eight miles of the Savannah River, approximately 40 miles of the Tugaloo River, and 32 miles of the Seneca-Keowee Rivers (Caldwell 1953). Caldwell recorded 54 archaeological sites and provided management recommendations based on a flood pool level of 665 AMSL for the proposed lake. Six of the sites were recommended for additional excavations and one site was recommended for additional testing. Among the sites excavated were three mound sites, Chauga, Estatoe, and Tugalo. A recent review of the Caldwell survey indicated that several of the sites had been incorrectly plotted and steps have been taken to provide suggestions on the true locations of the sites (Sweeney and Whitley 2011). Rectification of the data suggests that at least four of the sites noted as inundated are outside of the flood pool (i.e., above 665 feet AMSL).

Cultural resources investigations of upland areas at the Hartwell Project were conducted in the late 1970s and early 1980s to comply with Section 106 of the NHPA,

resulting in the identification of 92 archaeological sites. A large-scale, approximately 3,727 acre Section 110 of the NHPA survey was conducted in 2010 (Sweeney and Whitely 2011). Water levels during the field survey ranged from 660.58 - 661.19 feet AMSL which prohibited investigation of shoreline areas. The survey resulted in the recordation of 47 previously unrecorded archaeological sites, none of which were recommended eligible for the National Register of Historic Places (NRHP). No cultural resources investigations of the shoreline have been conducted to date.

The Hartwell Project currently manages six archaeological sites that have been determined eligible for the NRHP. Five of the sites are prehistoric sites, one of which is a petroglyph. One site is a historic farmstead. None of the sites are located along the shoreline.

Activities that could potentially impact archaeological and historic resources due to the associated ground disturbance are improved walkway construction, trenching for underground utility lines, and underbrushing. Restrictions and processes in the SMP for conducting these activities, however, minimize the potential impacts to intact cultural deposits and historic resources substantially. Permitted walkways must be installed on grade, and restricts excavation tools to shovels, picks, or rakes. Underbrushing is also restricted to the use of hand tools (weed eaters, chainsaws) on vegetation with a base diameter less than 3 inches. Stump removal is prohibited. Utility trenching has the greatest potential to impact intact cultural deposits and the SMP authorizes installation with a walk behind trencher only to minimize ground disturbance.

A site review process is conducted prior to the issuance of all initial shoreline use permits (i.e., properties that have never had a permit) that could identify unknown sites, and known sites would be evaluated for their significance and eligibility for the National Register pursuant to 36 CFR Part 800, Protection of Historic Properties. If significant or eligible cultural resources were to be affected, avoidance would be the recommended action.

#### **4.0 ENVIRONMENTAL EFFECTS**

Alternatives 1, 3, 4, 5, 8, 11, and 13 were determined not to have any environmental effects.

Alternative 1 is not changing the activities that may be authorized but is merely separating the processing of a request for a Shoreline Management Program permit from a real estate license. Also, Alternative 1 it does not change the ability of certain property owners from applying for a dock permit.

The following alternatives are clarifications of rules that were previously in place but the SMP could state the rules with better specificity): Alternative 3 (mooring of vessels and floating structures at a dock cannot impede ingress/egress or navigation); Alternative 4 (in the interest of safety, the Corps may defer the issuance of a dock permit if lake levels are below or above 656 feet AMS); Alternative 8 (no jump gates allowed on the second level); Alternative 11 (individual dog fences are prohibited on public land).

Alternative 13 (electrical services must be certified by a state licensed electrician at all action points (at time of renewal is a new requirement), and certification statement must address that lighting is downshielded).

Alternative 5 does not change the use of paint on a dock but, if a dock is repainted or the roof is replaced, the color of the paint must comply with current color requirements.

Furthermore, the alternatives, individually and collectively, do not change the prior shoreline allocation. The four categories (Limited Development Areas; Protected Shoreline Areas; Public Recreation Areas; and Prohibited Access Areas) and the percentage of use allocated to each category remain the same.

This section evaluates the environmental effects of the remaining alternatives that could have environmental effects, whether positive or negative.

#### **4.1 Aesthetics**

##### Future Conditions with No Action

Without implementation of the proposed action, the No Action Alternative would have the current conditions continuing to exist.

##### Future Conditions with the Proposed Action

To minimize the visual distraction the docks and walkways have on the natural setting of the lake, the proposed SMP would require all paint or finishes on docks and walkways to be a natural earth tone as defined in 2019 SMP section 10, Private Docks, f.(2) Standards for Docks, Color Restrictions. Any existing dock, if repainted or roof replaced, would have to comply with current color requirements. Improved walkways constructed of concrete must be stained/dyed black or brown and the color must be maintained.

With implementation of the proposed action, there would be a beneficial result with minor improvements to aesthetics or any view of the watershed.

#### **4.2 Vegetation**

##### Future Conditions with No Action

Without implementation of the proposed action, the No Action Alternative will not create a change in the current vegetation.

### Future Conditions with the Proposed Action

With implementation of the proposed action, the Proposed SMP would result in minor improvements to vegetation surrounding the Reservoir by: limiting underbrushing for community docks to 50 percent of the dockable frontage, not to exceed 400 feet; and by requiring a minimum shared common boundary of 75 feet within an LDA to qualify for limited underbrushing. These changes would reduce the amount of underbrushing that could be authorized on public lands.

### **4.3 Land Use**

#### Future Conditions with No Action

Without implementation of the proposed action, there would be more development possible with the No Action Alternative.

#### Future Conditions with the Proposed Action

The proposed SMP would eliminate reference to 20 feet minimum shared boundary, as it would now require 75 feet of shared boundary to qualify for all facilities/activities. This change would lessen impacts to public lands by reducing the number of permitted activities on public lands. Improved walkways and rights-of-way are considered supporting facilities for a dock, therefore can only be permitted if a dock is authorized.

The proposed SMP would allow DC solar power on dock and/or power pole for electrical services on public land only. DC solar power for the dock and/or light pole does not require trenching therefore it has no impact to public lands. Solar lighting along an improved walkway would be authorized. Solar lights would be limited to 10 inches in height and must be spaced a minimum of 10 feet between lights. If solar lighting is installed, property would not qualify for a second light pole every 100 feet.

The proposed SMP specifically addresses that invisible dog fencing would not be authorized.

The proposed SMP would require the removal of an existing dock before a new dock could be installed to lessen the impacts to public land by having two docks on the shoreline at any given time for one permit.

The proposed SMP would require walkways constructed with a loose aggregate material to be bordered to prevent washing or spreading of the materials beyond the 6 feet maximum width.

A statement has been added to the proposed SMP that existing SUPs/licenses issued under previous SMPs will continue to be honored to current and future owners provided compliance with the SUP/license is maintained, excepted as noted in the proposed SMP.

## **4.4 Safety**

### Future Conditions with No Action

Without implementation of the proposed action, the No Action Alternative will not create a change in the current public safety policies and conditions.

### Future Conditions with the Proposed Action

The proposed updates to the SMP under utility rights-of-way would require electrical services to be certified by a state licensed electrician upon issuance, renewal, or change of ownership. Recertification is currently only required upon change of ownership or initial permit. DC solar power eliminates the potential for AC shock or electrocution and does not require certification by a state license electrician.

A statement has been added to the proposed SMP that vessels and floats (to include trampolines etc.) moored at docks would not impede ingress/egress, navigation, or encroach into spacing requirements. No jump gates would be allowed on the second story of a dock. Also, security cameras would be authorized.

During periods low and high water, docks are usually not in their permitted location making it difficult for a determination to be made that could ultimately create an unsafe situation by authorizing docks too close together. A statement has been added to the proposed SMP that dependent upon site conditions, a determination to issue/modify a dock permit may be deferred if the lake level is <656 AMSL or > 660 AMSL.

With implementation of the proposed action, the proposed changes would increase public safety, therefore, the Proposed Action would have a beneficial impact on public safety within the Reservoir.

## **4.5 Protected Species**

### Future Conditions with No Action

Without implementation of the proposed action, the No Action Alternative will not create adverse impacts to protected species.

### Future Conditions with the Proposed Action

With implementation of the proposed action, there would be no adverse impacts to protected species within the project area.

## 4.6 Cultural Resources

### Future Conditions with No Action

Under the current SMP and the No Action Alternative there are no known significant impacts to cultural resources. Compliance with the SMP limits ground disturbance and the site review process would identify any potentially significant resources.

Activities that could potentially impact archaeological and historic resources due to the associated ground disturbance are improved walkway construction, trenching for underground utility lines, and underbrushing. Restrictions and processes in the SMP for conducting these activities, however, minimize the potential impacts to intact cultural deposits and historic resources substantially. Permitted walkways must be installed on grade, and restricts excavation tools to shovels, picks, or rakes. Underbrushing is also restricted to the use of hand tools (weed eaters, chainsaws) on vegetation with a base diameter less than 3 inches. Stump removal is prohibited. Utility trenching has the greatest potential to impact intact cultural deposits and the SMP authorizes installation with a walk behind trencher only to minimize ground disturbance.

A site review process is conducted prior to the issuance of all initial shoreline use permits (i.e., properties that have never had a permit) that could identify unknown sites, and known sites would be evaluated for their significance and eligibility for the National Register pursuant to 36 CFR Part 800, Protection of Historic Properties. If significant or eligible cultural resources were to be affected, avoidance would be the recommended action.

### Future Conditions with the Proposed Action

Under the proposed action, there is a decrease in land use through the prohibition of development in LDAs adjacent to lots with less than 75 feet of shared boundary line; therefore, less potential would exist for impact to cultural resources and historic properties. Changes to the underbrushing limits for community docks to 50 percent of the dockable frontage not to exceed 400 feet would also lessen the potential to impact cultural resources and historic properties. Activities that could potentially impact archaeological and historic resources due to the associated ground disturbance would be the same as for no action. If significant or eligible cultural resources were to be affected, avoidance would be the recommended action.

<b>Table 4: Environmental Impact Comparison of Alternatives</b>		
<b>Resources</b>	<b><u>No Action Alternative</u></b>	<b><u>Proposed SMP Changes</u></b>
Geology/Topography/Soil	No Impact	No Impact
Floodplains	No Impact	No Impact
Surface Hydrology	No Impact	No Impact
Water Quality	No Impact	No Impact
Air Quality	No Impact	No Impact
Noise	No Impact	No Impact
Cultural Resources	No Impact	No Impact
Hazardous & Toxic Waste	No Impact	No Impact
Aesthetics	No Impact	Improvement to Aesthetics
Vegetation	No Impact	Underbrushing permit changes would be an improvement to Vegetation
Protected Species	No Impact	No Impact
Wetlands	No Impact	No Impact
Land Use	No Impact	Improvements to Land Use, maintain USACE shoreline for public use by reducing appearance of private exclusive use
Environmental Justice	No impact	No Impact
Protection of Children	No Impact	No Impact
Recreation	No Impact	No Impact
Safety	No Impact	Improvements would increase and protect Public Health

#### **4.7 Cumulative Impacts**

The Council on Environmental Quality (CEQ) regulations that implement NEPA (40 CFR 1508.7) require an assessment of cumulative impacts in the decision-making process for federal projects. Cumulative impacts are defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions.”

Past actions include the construction and operation of the Reservoir, the recreation sites surrounding the Reservoir, and development of residential, commercial, and industrial facilities throughout the immediate area. All these developments have had varying levels of impacts on the physical and natural resources of Hartwell Lake. Implementing management plans like the SMP help to ensure a balance between public uses and stewardship of the natural environment and private shoreline uses.

#### **4.8 Positive Environmental Impacts**

Alternatives 2, 6, 9, 10, 12, 16, and 17 were determined to have positive environmental impacts. Some of these alternatives increase the amount of shared boundary line that is needed for permitted facilities and activities. Other alternatives specify that a right of way and improved walkway are supporting facilities for a dock and, therefore, they may only be permitted if a dock is authorized. Consequently, the amount of underbrushing and ground-disturbing activities (e.g., creating an improved walkway) will decrease to some extent for these alternatives, individually and collectively. Alternative 17 protects the environment by requiring borders to be installed around any walkway that is constructed with a loose aggregate material to prevent the material from washing away or spreading.

#### **4.9 Negligible Environmental Impacts**

Alternatives 7, 14, 15, and 18 were evaluated and determined to have no or negligible environmental impacts. Alternative 7 will allow security cameras to be installed on a dock. Alternative 14 allows solar panels to be installed on a permitted dock and allows a power pole for electrical services to be permitted on public land. Alternative 15 allows solar lighting along an improved walkway to be authorized, with restrictions on the height and spacing. Alternative 18 requires concrete to be stained or dyed a black or brown color, and the color must be maintained.

### **5.0 PUBLIC INVOLVEMENT**

#### **5.1 Public Information Sessions**

The Hartwell Project began their review process of the 2007 SMP in March 2017. The Hartwell staff hosted three public workshops to take comments and address questions at various locations around the lake: March 21, 2017 – Anderson Civic Center in Anderson, SC; March 22, 2017 – Hart County Adult Learning Center in Hartwell, GA; and March 23, 2017 – Gignilliat Community Center in Seneca, SC. A total of 67 comments were received at these three meetings. An additional 436 comments were emailed or mailed to the Hartwell Office during the 10-week comment period, for a total of 503 public comments. Information provided during these scoping meetings and the comment period was used to identify changes to the Hartwell SMP.

#### **5.2 Recipients of the Environmental Assessment**

This EA was circulated for a 30-day review and comment period (April 15 – May 15, 2019) to the following agencies, groups, and the public. Appendix D contains a copy of all comments received and a chart of the comments and responses.

##### **Federal Agencies**

- U.S. Department of the Interior - Office of Environmental Policy & Compliance
- U.S. Fish and Wildlife Service

## **State Agencies**

### **South Carolina**

- SC State Historic Preservation Office
- SC Department of Health and Environmental Control
- SC Department of Natural Resources

### **Georgia**

- GA Department of Natural Resources, Environmental Protection Division
- GA State Historic Preservation Office
- GA Department of Natural Resources, Wildlife Resources Division

## **Conservation Groups**

- The Nature Conservancy
- The Georgia Conservancy

## **6.0 COMPLIANCE WITH ENVIRONMENTAL LAWS AND REGULATIONS**

Environmental compliance for the proposed action has been achieved through the following actions: coordination of this EA and draft Finding of No Significant Impact (FONSI) with appropriate agencies, organizations, and individuals for their review and comments; U.S. Fish and Wildlife Service (USFWS) confirmation that the proposed action would not likely adversely affect any endangered or threatened species; and concurrence from the State Historic Preservation Officer in the USACE Determination of No Effect on cultural resources.

<b>Table 5: Compliance of the Proposed Action with Executive Orders</b>		
<b>Executive Orders</b>	<b>Number</b>	<b>Compliance Status</b>
Invasive Species	13112	In Compliance
Equal Opportunity	11246	In Compliance
Protection and Enhancement of Environmental Quality	11514/11991	In Compliance
Protection and Enhancement of the Cultural Environment	11593	In Compliance
Convict Labor	11755	In Compliance
Floodplain Management (Appendix B)	11988	In Compliance
Protection of Wetlands	11990	In Compliance
Federal Compliance with Pollution Control Standards	12088	In Compliance
Environmental Effects Abroad of Major Federal Actions	12114	In Compliance

<b>Table 5: Compliance of the Proposed Action with Executive Orders</b>		
<b>Executive Orders</b>	<b>Number</b>	<b>Compliance Status</b>
Federal Compliance with Right-To-Know Laws and Pollution Prevention	12856	In Compliance
Federal Actions to Address Environmental Justice and Minority and Low-Income Populations	12898	In Compliance
Implementation of the North American Free Trade Agreement	12889	In Compliance
Energy Efficiency and Water Conservation at Federal Facilities	12902	In Compliance
Federal Acquisition and Community Right-To-Know	12969	In Compliance
Protection of Children from Environmental Health Risks and Safety Risks	13045	In Compliance
Environmental Justice	12898	In Compliance
National Invasive Species Council	13112	In Compliance
Responsibilities of Federal Agencies to Protect Migratory Birds	13186	In Compliance

## **7.0 CONCLUSION**

The Savannah District has assessed the environmental impacts of the proposed changes and concludes that all the changes would have no significant adverse impact on the environment and any impacts will be beneficial to the environment. Most of the alternatives have no environmental impacts or positive environmental impacts, and the remaining 4 Alternatives (that is, Alternatives 7, 14, 15, and 18) will have negligible adverse impacts. Consequently, the selected action is to implement all of the proposed changes. Because the impacts will not significantly affect the environment, an Environmental Impact Statement is not required.

## **8.0 PREPARERS**

This EA and the associated FONSI were prepared by Cynthia Gose, Environmental Engineer, and Nathan Dayan, Biologist, Melissa Wolf, Chief of Natural Resource Section, Kathryn Pavolillo, Natural Resource Program Manager, James Sykes, Fisheries Biologist, Jeffery Brooks, Forestry Biologist, and Sandra Campbell, Natural Resource Program Manager. The address of the preparers is: U.S. Army Corps of Engineers, Savannah District – Project Management - Planning, 100 West Oglethorpe Avenue, Savannah, GA 31401.

## 9.0 REFERENCES

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## **Appendix A**

# **Commonly Occurring Terrestrial and Aquatic Plants, Mammals, Reptiles, Amphibians, Birds, and Fish of Hartwell Project**



## Commonly Occurring Plant Species

### Overstory

Common Name	Scientific Name
Southern Sugar Maple	<i>Acer baratum</i>
Red Maple	<i>Acer rubrum</i>
Silver Maple	<i>Acer saccharium</i>
River Birch	<i>Betula nigra</i>
Bitternut Hickory	<i>Carya cordiformis</i>
Pignut Hickory	<i>Carya glabra</i>
Shagbark Hickory	<i>Carya ovata</i>
Mockernut Hickory	<i>Carya tomentosa</i>
White Ash	<i>Faxinus americana</i>
Sweetgum	<i>Liquidamber styraciflua</i>
Yellow Poplar	<i>Liriodendron tulipifera</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
Blackgum	<i>Nyssa sylvatica</i>
Shortleaf Pine	<i>Pinus echinata</i>
Slash Pine	<i>Pinus elliottii</i>
Longleaf Pine	<i>Pinus pulustris</i>
Loblolly Pine	<i>Pinus taeda</i>
Sycamore	<i>Plantanus occidentallis</i>
Eastern Cottonwood	<i>Populus deltoides</i>
White Oak	<i>Quercus alba</i>
Scarlet Oak	<i>Quercus coccinea</i>
Southern Red Oak	<i>Quercus falcata</i>
Turkey Oak	<i>Quercus laevis</i>
Laurel Oak	<i>Quercus laurifolia</i>
Blackjack Oak	<i>Quercus marilandica</i>
Water Oak	<i>Quercus nigra</i>
Pin Oak	<i>Quercus palustris</i>
Willow Oak	<i>Quercus phellos</i>
Swamp Chestnut Oak	<i>Quercus prinus</i>
Northern Red Oak	<i>Quercus rubra</i>
Post Oak	<i>Quercus stellata</i>
Black Oak	<i>Quercus velutina</i>
Winged elm	<i>Ulmus alata</i>
American elm	<i>Ulmus americana</i>

## Midstory

Common Name	Scientific Name
Boxelder	<i>Acer negundo</i>
Beauty-berry	<i>Callicarpa americana</i>
American Hornbeam, Musclewood	<i>Carpinus caroliniana</i>
Hackberry	<i>Celtis occidentalis</i>
Redbud	<i>Cercis canadensis</i>
Fringetree	<i>Chionanthus virginicus</i>
Dogwood	<i>Cornus florida</i>
Hawthorn	<i>Crataegus sp.</i>
Persimmon	<i>Diospyros virginiana</i>
Honeylocust	<i>Gleditsia triacanthos</i>
American Holly	<i>Ilex opaca</i>
Black Walnut	<i>Juglans nigra</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Red Mulberry	<i>Morus rubra</i>
Waxmyrtle	<i>Myrica cerifera</i>
Eastern Hop Hornbeam, Ironwood	<i>Ostrya virginiana</i>
Sourwood	<i>Osyidendron arboreum</i>
Black Cherry	<i>Prunus serotina</i>
Wild Plum	<i>Prunus sp.</i>
Winged Sumac	<i>Rhus copallia</i>
Blacklocust	<i>Robinia pseudoacacia</i>
Palmetto	<i>Sabal minor</i>
Black Willow	<i>Salix nigra</i>
Sassafras	<i>Sassafras albidum</i>
Sparkleberry	<i>Vaccinium sp.</i>
Blueberry	<i>Vacinium corymbosum</i>

## Ground Covers

Common Name	Scientific Name
Trumpet Creeper	<i>Campis radicans</i>
Yellow jessamine	<i>Gelsemium sempervirens</i>
Virginia Creeper	<i>Parthenocissus quinquefolia</i>
Ferns	<i>Polystichum sp.</i>
Poison Oak	<i>Rhus quercifolia</i>
Poison Ivy	<i>Rhus radicans</i>
Poison Sumac	<i>Rhus vernix</i>
Black Berry	<i>Rubus sp.</i>
Greenbrier, Smilax	<i>Smilax sp.</i>
Wood grass	<i>Uniola sessiliflora</i>
Periwinkle	<i>Vinca minor</i>
Muscadine	<i>Vitis rotundifloia</i>

## Aquatic Plants

Common Name	Scientific Name
Brazilian elodea, egeria	<i>Egeria densa</i>
Waterhyacinth	<i>Eichhornia crassipes</i>
Hydrilla	<i>Hydrilla verticillata</i>
Water primrose	<i>Ludwigia hexapetala</i>
Parrotfeather	<i>Myriophyllum aquaticum</i>
Eurasian watermilfoil	<i>Myriophyllum spicatum</i>
American lotus, lotus lily	<i>Nelumbo lutea</i>
Alligatorweed	<i>Alternanthera philoxeroides</i>
Fanwort	<i>Cabomba caroliniana</i>
Coontail, hornwort	<i>Ceratophyllum demersum</i>
Chara, musk grass	<i>Chara sp.</i>
Elodea	<i>Elodea canadensis</i>
Marsh Hibiscus	<i>Hibiscus moscheutos</i>
Southern watergrass	<i>Hydrochloa caroliniensis</i>
Water pennywort	<i>Hyrocotyle umbellata</i>
Waterwillow	<i>Justicis americana</i>
Southern naiad	<i>Najas guadalupensis</i>
Slender naiad, spiny-leaf naiad	<i>Najas minor</i>
Fragrant waterlily	<i>Nymphaea odorata</i>
Water paspalum	<i>Paspalum fluitans</i>
Pickereelweed	<i>Pontederia cordata</i>
Pondweed	<i>Potamogeton sp.</i>
Arrowheads	<i>Sagittaria sp.</i>
Cattail	<i>Typha sp.</i>
Bladderwort	<i>Utricularia sp.</i>

## Exotics

Common Name	Scientific Name
Japanese honeysuckle	<i>Lonicera japonica</i>
China-berry	<i>Melia azedarach</i>
Kudzu	<i>Pueraria lobata</i>
Wisteria	<i>Wisteria frutesus</i>
Chinese Tallow	<i>Sapium sebiferum</i>

Giant Reed	<i>Arundo donax</i>
Chinese Privet	<i>Ligustrum sinense</i>
Old World Climbing Fern	<i>Lygodium microphyllum</i>
Johnson Grass	<i>Sorghum halepense</i>
Autumn Olive or Eleagnus	<i>Eleagnus umbellata</i>
Bamboo	<i>Phyllosachys sp</i>
Hydrilla	<i>Hydrilla verticillata</i>
Alligator Weed	<i>Alternanthera philoxeroides</i>
Parrot Feather	<i>Myriophyllum aquaticum</i>

## Commonly Occurring Bird Species

Common Name	Scientific Name	
Wood Duck	<i>Aix sponsa</i>	Summer
Mallard	<i>Anas platyrhynchos</i>	Summer
Canada Goose	<i>Branta canadensis</i>	Summer
Hooded Merganser	<i>Lophodytes cucullatus</i>	Summer
Blue-winged Teal	<i>Anas discors</i>	Winter
Green-winged Teal	<i>Podilymbus podiceps</i>	Winter
Northern Shovelers	<i>Anas clypeata</i>	Winter
Canvasback	<i>Aythya valisineria</i>	Winter
Redhead	<i>Aythya americana</i>	Winter
Ring-necked Duck	<i>Aythya collaris</i>	Winter
Greater Scaup	<i>Aythya marila</i>	Winter
Lesser Scaup	<i>Aythya affinis</i>	Winter
Long-tailed Duck	<i>Clangula hyemalis</i>	Winter
Bufflehead	<i>Bucephala albeola</i>	Winter
Common Golden eye	<i>Bucephala clangula</i>	Winter
Common Merganser	<i>Mergus merganser</i>	Winter
Red Breasted Merganser	<i>Mergus serrator</i>	Winter
Ruddy Duck	<i>Oxyura jamaicensis</i>	Summer
Pacific Loon	<i>Gavia Pacifica</i>	Winter
Common Loon	<i>Gavia immer</i>	Winter
Red Throated Loon	<i>Gavia stellata</i>	Winter
Pied Billed Grebe	<i>Podilymbus podiceps</i>	Summer/Winter
Horned Grebe	<i>Podiceps auritus</i>	Winter
Eared Grebe	<i>Podiceps nigricollis</i>	Winter
American Coot	<i>Fulica americana</i>	Winter
Double-crested Cormorant	<i>Phalacrocorax auritus</i>	Summer/Winter
Anhinga	<i>Anhinga anhinga</i>	Summer
Belted Kingfisher	<i>Megaceryle alcyon</i>	Summer
Great Egret	<i>Ardea alba</i>	Summer
Great Blue Heron	<i>Ardea herodias</i>	Summer
Green Heron	<i>Butorides virescens</i>	Summer
White Ibis	<i>Eudocimus albus</i>	Summer
Least Bittern	<i>Ixobryhus exilis</i>	Summer
Wood Stork	<i>Mycteria americana</i>	Late summer
Brown Pelican	<i>Pelecanus occidentalis</i>	Winter
White Pelican	<i>Pelecanus erythrorhynchos</i>	Winter
Chimney Swift	<i>Chaetura pelagica</i>	Summer
Ruby-throated Hummingbird	<i>Archilochus colubris</i>	Summer
Chuck-will's-widow	<i>Caprimulgus carolinensis</i>	Summer
Whip-poor-will	<i>Caprimulgus vociferus</i>	Summer
Common Nighthawk	<i>Chordeiles minor</i>	Summer

<b>Continued</b>		
Killdeer	<i>Charadrius vociferus</i>	Summer
Cooper's Hawk	<i>Accipiter cooperii</i>	Summer
Sharp-shinned Hawk	<i>Accipiter striatus</i>	Summer
Red-tailed Hawk	<i>Buteo jamaicensis</i>	Summer
Broad-winged Hawk	<i>Buteo playtypterus</i>	Summer
Red-shouldered Hawk	<i>Buteo lineatus</i>	Summer
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Summer/Winter
Osprey	<i>Pandion haliaetus</i>	Summer/Winter
Turkey Vulture	<i>Cathartes aura</i>	Summer/Winter
Black Vulture	<i>Coragyps atratus</i>	Summer/Winter
Peregrine Falcon	<i>Falco peregrinus</i>	Winter
American Kestrel	<i>Falco sparverius</i>	Winter
Mourning Dove	<i>Zenaida macroura</i>	Summer/Winter
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	Summer
Northern Bobwhite	<i>Colinus virginianus</i>	Summer/Winter
Wild Turkey	<i>Meleagris gallopavo</i>	Summer/Winter
Cedar Waxwing	<i>Bombycilla cedrorum</i>	Winter
Northern Cardinal	<i>Cardinalis cardinalis</i>	Summer/Winter
American Crow	<i>Corvus brachyrhynchos</i>	Summer/Winter
Fish Crow	<i>Corvus ossifragus</i>	Summer/Winter
Blue Jay	<i>Cyanocitta cristata</i>	Summer/Winter
Eastern Towhee	<i>Pipilo erythrophthalmus</i>	Summer/Winter
American Goldfinch	<i>Carduelis tristis</i>	Summer/Winter
House Finch	<i>Carpodacus mexicanus</i>	Summer/Winter
Red-winged Blackbird	<i>Agelaius phoeniceus</i>	Summer
Orchard Oriole	<i>Icterus spurius</i>	Summer
Brown-headed Cowbird	<i>Molothrus ater</i>	Summer
Common Grackle	<i>Quiscalus quiscula</i>	Summer
Eastern Meadowlark	<i>Sturnella magna</i>	Summer
Loggerhead Shrike	<i>Lanius ludovicianus</i>	Summer
Northern Mockingbird	<i>Mimus polyglottos</i>	Summer/Winter
Brown Thrasher	<i>Toxostoma rufum</i>	Summer/Winter
Tufted Titmouse	<i>Baeolophus bicolor</i>	Summer/Winter
Carolina Chickadee	<i>Poecile carolinensis</i>	Summer/Winter
Pine Warbler	<i>Dendroica pinus</i>	Summer/Winter
Yellow-breasted Chat	<i>Icteria virens</i>	Summer
Prothonotary Warbler	<i>Protonotaria citrea</i>	Summer
American Redstart	<i>Setophaga ruticilla</i>	Summer
Hooded Warbler	<i>Wilsonia citrina</i>	Summer
Ovenbird	<i>Seiurus aurocapilla</i>	Summer
Louisiana Waterthrush	<i>Seiurus motacilla</i>	Summer
Black-and-White Warbler	<i>Mniotilta varia</i>	Summer
Kentucky Warbler	<i>Oporornis formosus</i>	Summer
Common Yellowthroat	<i>Geothlypis trihas</i>	Summer

<b>Continued</b>		
Hooded Warbler	<i>Wilsonia citrina</i>	Summer
Northern Parula	<i>Parula Americana</i>	Summer
Pine Warbler	<i>Dendroica pinus</i>	Summer
Yellow-throated Warbler	<i>Dendroica dominica</i>	Summer
Prairie Warbler	<i>Dendroica discolor</i>	Summer
Yellow-Breasted Chat	<i>Icteria virens</i>	Summer
Bachman's Sparrow	<i>Aimophila aestivalis</i>	Summer/Winter
Chipping Sparrow	<i>Spizella passerine</i>	Summer/Winter
Field Sparrow	<i>Spizella pusilla</i>	Summer/Winter
Grasshopper Sparrow	<i>Ammodramus savannarum</i>	Summer/Winter
Song Sparrow	<i>Melospiza melodia</i>	Summer/Winter
White-throated Sparrow	<i>Zonotrichia albicollis</i>	Winter
Summer Tanager	<i>Piranga rubra</i>	Summer
Northern Cardinal	<i>Cardinalis cardinalis</i>	Summer/Winter
Blue Grosbeak	<i>Passerina caerulea</i>	Summer/Winter
Indigo Bunting	<i>Passerina cyanea</i>	Summer
Red-winged Blackbird	<i>Agelaius phoeniceus</i>	Summer/Winter
Eastern Meadowlark	<i>Sturnella magna</i>	Summer
House Finch	<i>Carpodacus mexicanus</i>	Summer/Winter
American Goldfinch	<i>Carduelis tristis</i>	Summer/Winter
Ruby-crowned Kinglet	<i>Regulus calendula</i>	Winter
Brown-headed Nuthatch	<i>Sitta pusilla</i>	Summer/Winter
European Starling	<i>Sturnus vulgaris</i>	Summer/Winter
Blue-gray Gnatcatcher	<i>Poliophtila caerulea</i>	Summer
Summer Tanager	<i>Piranga rubra</i>	Summer
Carolina Wren	<i>Thryothorus ludovicianus</i>	Summer/Winter
Wood Thrush	<i>Hylocichla mustelina</i>	Summer
Eastern Bluebird	<i>Sialia sialis</i>	Summer/Winter
American Robin	<i>Turdus migratorius</i>	Summer/Winter
Great Crested Flycatcher	<i>Myiarchus crinitus</i>	Summer
Eastern Phoebe	<i>Sayornis phoebe</i>	Summer
Eastern Kingbird	<i>Tyrannus tyrannus</i>	Summer
Red-eyed Vireo	<i>Vireo olivaceus</i>	Summer
White-eyed Vireo	<i>Vireo Grievus</i>	Summer
Pileated Woodpecker	<i>Dryocopus pileatus</i>	Summer/Winter
Red-bellied Woodpecker	<i>Melanerpes carolinus</i>	Summer/Winter
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	Summer/Winter
Downy Woodpecker	<i>Picoides pubescens</i>	Summer/Winter
Yellow-bellied Sapsucker	<i>Sphyrapicus varius</i>	Winter
Great Horned Owl	<i>Bubo virginianus</i>	Summer/Winter
Eastern Screech-Owl	<i>Megascops asio</i>	Summer/Winter
Barred Owl	<i>Strix varia</i>	Summer/Winter

\*\*compiled from "Georgia Breeding Bird Atlas", Georgia Ornithological Society Records,

UGA Museum of Natural History Records, and field observations.

<b>Mammals</b>	
<b>Common Name</b>	<b>Scientific Name</b>
Hispid Cotton Rat	<i>Sigmodon hispidus</i>
Golden Mouse	<i>Ochrotomys nuttalli</i>
Eastern Harvest Mouse	<i>Reithrodontomys humulis</i>
White-footed Mouse	<i>Peromyscus leucopus</i>
Cotton Mouse	<i>Peromyscus gossypinus</i>
Common Muskrat	<i>Ondatra zibethicus</i>
Oldfield Mouse	<i>Peromyscus polionotus</i>
Southern Flying Squirrel	<i>Glaucomys volans</i>
Eastern Gray Squirrel	<i>Sciurus carolinensis</i>
Eastern Fox Squirrel	<i>Sciurus niger</i>
Eastern Chipmunk	<i>Tamias striatus</i>
Southern Short-tailed Shrew	<i>Blarina carolinensis</i>
Least Shrew	<i>Cryptotis parva</i>
Eastern Mole	<i>Scalopus aquaticus</i>
Eastern Cottontail	<i>Sylvilagus aquaticus</i>
Swamp Rabbit	<i>Sylvilagus floridanus</i>
Eastern Pipistrelle	<i>Pipistrellus subflavus</i>
Rafineques Big Eared bat	<i>Corynorhinus rafinesquii</i>
Southeastern Myotis	<i>Myotis austroriparius</i>
Big Brown Bat	<i>Eptesicus fuscus</i>
Little Brown Bat	<i>Myotis lucifugus</i>
Silver-haired Bat	<i>Lasionycteris noctivagans</i>
Eastern Red Bat	<i>Lasiurus borealis</i>
Hoary Bat	<i>Lasiurus cinereus</i>
Seminole Bat	<i>Lasiurus seminolus</i>
Evening Bat	<i>Pipistrellus subflavus</i>
Coyote	<i>Canis latrans</i>
Gray Fox	<i>Urocyon cinereoargenteus</i>
Red Fox	<i>Vulpes vulpes</i>
Bobcat	<i>Lynx rufus</i>
Striped Skunk	<i>Mephitis mephitis</i>
Spotted Skunk	<i>Spilogale putorius</i>
Long-tailed Weasel	<i>Mustela frenata</i>
Mink	<i>Mustela vison</i>
Northern Raccoon	<i>Procyon lotor</i>
Northern River Otter	<i>Lontra canadensis</i>
Virginia Opossum	<i>Didelphis virginiana</i>
American Beaver	<i>Castor canadensis</i>
Nine-banded Armadillo	<i>Dasyus novemcinctus</i>
White-tailed Deer	<i>Odocoileus virginianus</i>

<b>Reptiles</b>	
<b>Common Name</b>	<b>Scientific Name</b>
<b>Snakes</b>	
Eastern Black Racer	<i>Coluber constrictor</i>
Corn Snake	<i>Elaphe guttata</i>
Rat Snake	<i>Elaphe obsoleta</i>
Eastern Hognose Snake	<i>Heterodon platirhinos</i>
Southern Hognose	<i>Heterodon simus</i>
Mole Snake	<i>Lampropeltis calligaster</i>
Eastern King Snake	<i>Lampropeltis getula</i>
Scarlet King	<i>Lampropeltis triangulum elapsoides</i>
Coachwhip	<i>Masticophis flagellum</i>
Plain-bellied Watersnake	<i>Nerodia erythrogaster</i>
Northern Watersnake	<i>Nerodia sipedon</i>
Brown Watersnake	<i>Nerodia taxispilota</i>
Rough Green Snake	<i>Opeodryas aestivalis</i>
Queen Snake	<i>Regina septemvittata</i>
Brown Snake	<i>Storeria dekayi</i>
Red-bellied Snake	<i>Storeria occipitomaculata</i>
Southeastern Crowned Snake	<i>Tantila coronata</i>
Eastern Ribbon Snake	<i>Thamnophis suaritus</i>
Common Garter Snake	<i>Thamnophis sirtalis</i>
Rough Earth Snake	<i>Virginia striatula</i>
Smooth Earth Snake	<i>Virginia valeriae</i>
Copperhead	<i>Agkistrodon contortrix</i>
Cottonmouth	<i>Agkistrodon piscivorus</i>
Timber Rattlesnake	<i>Crotalus horridus</i>
Pygmy Rattlesnake	<i>Sistrurus miliarius</i>
<b>Lizards</b>	
<b>Common Name</b>	<b>Scientific Name</b>
Eastern Fence Lizard	<i>Sceloporus undulatus</i>
Green Anole	<i>Anolis carolinensis</i>
Five-lined Skink	<i>Eumeces fasciatus</i>
Southeastern Five-lined Skink	<i>Eumeces inexpectatus</i>
Six-lined Racerunner	<i>Cnemidophorus sexlineatus</i>
Slender Glass Lizard	<i>Ophisaurus attenuatus</i>
Eastern Glass Lizard	<i>Ophisaurus ventralis</i>
Broadhead Skink	<i>Eumeces laticeps</i>
Ground Skink	<i>Scincella lateralis</i>
American Alligator	<i>Alligator mississippiensis</i>
<b>Turtles</b>	
<b>Common Name</b>	<b>Scientific Name</b>

Common Snapping Turtle	<i>Chelydra serpentina</i>
Eastern Box Turtle	<i>Terrapene carolina</i>
Pond Slider	<i>Trachemys scripta</i>
Painted Turtle	<i>Chrysemys picta</i>
River Cooter	<i>Pseudemys coninna</i>
Eastern Musk Turtle	<i>Kinosternon subrubrum</i>
Common Musk Turtle	<i>Sternotherus odoratus</i>
Spiny Softshell	<i>Apalone spinifera</i>

<b>Amphibians</b>	
<b>Common Name</b>	<b>Scientific Name</b>
<b>Frogs and Toads</b>	
American Toad	<i>Bufo americanus</i>
Fowler's Toad	<i>Bufo fowleri</i>
Northern Cricket Frog	<i>Acris crepitans</i>
Bird-voiced Treefrog	<i>Hyla avivoca</i>
Cope's Gray Treefrog	<i>Hyla chrysoscelis</i>
Green Treefrog	<i>Hyla cinerea</i>
Barking Treefrog	<i>Hyla gratiosa</i>
Squirrel Treefrog	<i>Hyla squirella</i>
Spring Peeper	<i>Pseudacris crucifer</i>
Upland Chorus Frog	<i>Pseudacris feriarum</i>
Southern Chorus Frog	<i>Pseudacris nigrita</i>
Eastern Narrowmouth Toad	<i>Gastrophryne carolinensis</i>
Eastern Spadefoot Toad	<i>Scaphiopus holbrookii</i>
Bullfrog	<i>Rana catesbeiana</i>
Green Frog / Bronze Frog	<i>Rana clamitans</i>
Pickerel Frog	<i>Rana palustris</i>
Southern Leopard Frog	<i>Rana sphenoccephala</i>
<b>Salamanders</b>	
Spotted Salamander	<i>Ambystoma maculatum</i>
Marbled Salamander	<i>Ambystoma opacum</i>
Mole Salamander	<i>Ambystoma talpoideum</i>
Two-toed Amphiuma	<i>Amphiuma means</i>
Spotted Dusky Salamander	<i>Desmognathus conanti</i>
Two-lined Salamander	<i>Eueycea bislineata complex</i>
Three-lined Salamander	<i>Eueycea guttolineata</i>
Atlantic Coast Slimy Salamander	<i>Plethodon chlorobryonis</i>
Savannah Slimy Salamander	<i>Plethodon savannah</i>
Mud Salamander	<i>Pseudotriton montanus</i>
Red Salamander	<i>Pseudotriton ruber</i>

\*\*Compiled utilizing “Amphibians and Reptiles of Georgia”  
and the UGA Museum of Natural History Records website

**Commonly Occurring Fish Species**

<b>Common Name</b>	<b>Scientific Name</b>
<b>Game Fish</b>	
<b>Bass</b>	<b><i>Serranidae</i></b>
Striped bass*	<i>Morone saxatilis</i>
White bass	<i>Morone chrysops</i>
Hybrid bass*	<i>Morone saxatilis x Morone chrysops</i>
White perch	<i>Morone americana</i>
<b>Sunfish</b>	<b><i>Centrarchidae</i></b>
Largemouth bass	<i>Micropterus salmoides</i>
Black crappie	<i>Pomoxis nigromaculatus</i>
White crappie	<i>Pomoxis annularis</i>
Bluegill	<i>Lepomis macrochirus</i>
Redbreast	<i>Lepomis auritus</i>
Green sunfish	<i>Lepomis cyanellus</i>
Pumpkinseed	<i>Lepomis gibbosus</i>
Flier	<i>Centrarchus macropterus</i>
Warmouth	<i>Chaenobryttus coronaris</i>
Redear	<i>Lepomis microlophus</i>
<b>Perch</b>	<b><i>Percidae</i></b>
Yellow perch	<i>Perca flavescens</i>
<b>Rough Fish</b>	
<b>Catfish</b>	<b><i>Lepisosteidae</i></b>
Channel catfish	<i>Ictalurus punctatus</i>
White catfish	<i>Ictalurus catus</i>
Flat bullhead	<i>Ictalurus platycephalus</i>
Brown bullhead	<i>Ictalurus nebulosus</i>
Flathead catfish	<i>Pylodictis olivaris</i>
<b>Other</b>	
Longnose gar	<i>Lepospsteus osseus</i>
Chain pickerel (jack)	<i>Esox niger</i>
Redhorse sucker	<i>Maxostoma spp.</i>
Northern hogsucker	<i>Hypentelium nigricans</i>
Spotted sucker	<i>Minytrema melanops</i>
Carp	<i>Cyprinus carpio</i>

\* Stocked Species

Commonly Occurring Fish Species  
(Con't)

<b>Forage Species</b>	
<b>Shad and herring</b>	<i>Clupeidae</i>
Gizzard shad	<i>Dorosoma cepedianum</i>
Threadfin shad	<i>Dorosoma petenense</i>
Blueback herring	<i>Alosa aestivalis</i>
<b>Minnows</b>	<i>Cyprinidae</i>
Spottail shiner	<i>Notropis hudsonius</i>
Golden shiner	<i>Notemigonus chrysoleucas</i>
<b>Livebearers</b>	<i>Poeciliidae</i>
Mosquito fish	<i>Gambusia affinis</i>

## **APPENDIX B**

### **8-Step Process for EO11988: Floodplain Management**



## **8-Step Process for EO 11988: Floodplain Management**

### **Hartwell Lake Shoreline Management Plan**

- ER 1130-2-406

- Decision Process for E.O. 11988 as Provided by 24 CFR §55.20

#### ***Step 1: Determine whether the action is located in a 100-year flood plain (or a 500-year flood plain for critical actions).***

Part of this action is located in a 100-year flood plain. Based on Federal Emergency Management Agency (FEMA) Flood maps the elevation of the 100 year flood plain is 660 msl. Hartwell Lake will be above and below this flood plain. The Preferred alternative is the update of the Shoreline Management Plan (SMP). Therefore, E.O. 11988 applies and an evaluation of direct and indirect impacts associated with construction, occupancy, and modification of the flood plain is required.

#### ***Step 2: Notify the public for early review of the proposal and involve the affected and interested public in the decision making process.***

The Hartwell SMP was last updated in 2007. Over the past 12 years, changes have occurred that warrant an update to the SMP. These include: changes in policy, changes in regulations, increases in economic growth, increase in surrounding community growth and increases in recreational use. Pursuant to ER 1130-2-406, the objective of the updated SMP is to maintain a balance between permitted private uses, long-term natural resource protection, and public recreation opportunities. Specifically, ER 1130-2-406 states the intended purpose of an SMP is to provide protection of desirable environmental characteristics of Civil Works lake projects and restoration of shorelines where degradation has occurred through private exclusive use. The ER states that the plan must provide for protection of public lands and private investments and honor any past commitment. Public participation is also encouraged to the fullest extent.

The proposed SMP update meets the following goals:

- Updates policies and regulations pertaining to the shoreline of Hartwell Lake.
- Maintains aesthetic and environmental characteristics of the lake for the full benefit of the general public.
- Addresses shoreline allocations (zoning), rules, regulations, and other information relative to the Shoreline Management Program.
- Ensures that program management actions are based on current information and regulations through collaboration with the public, stakeholders, and subject matter experts.

### **Step 3: *Identify and evaluate practicable alternatives.***

#### A. Locate the Project Within the Floodplain

The proposed SMP was developed in accordance with the criteria outlined within the USACE shoreline management regulation (ER 1130-2-406). The preferred alternative will meet Hartwell Lake shoreline management goals and responsibilities while protecting the natural environment. The majority of the 2007 SMP will remain unchanged with the proposed SMP.

#### A. No Action or Alternative Actions that Serve the Same Purpose

The Hartwell Lake Environmental Assessment also considered a No Action Alternative which involves the continued use of the 2007 Hartwell SMP. This would not allow the Hartwell Project to operate under an up-to-date SMP, in accordance with ER 1130-2-406.

### **Step 4: *Identify Potential Direct and Indirect Impacts of Associated with Floodplain Development.***

Section 4.1.2 of the Environmental Assessment for this project describes the impacts to the flood plain that would be expected under each alternative. With implementation of either Alternative, the existing flood plain would not have adverse impacts.

### **Step 5: *Where practicable, design or modify the proposed action to minimize the potential adverse impacts to lives, property, and natural values within the flood plain and to restore, and preserve the values of the flood plain.***

Hartwell Lake's normal full pool elevation is 660 feet msl. The guide curve for Hartwell Lake targets the 660 feet msl elevation from April to mid-October each year. The lake covers approximately 56,000 acres of water surface area at the normal summer pool elevation of 660 feet msl. The Proposed Plan and the No Action alternative would result in no adverse impacts to the floodplain or management of the floodplain.

### **Step 6: *Reevaluate the Alternatives.***

Although the SMP is in a flood plain, the project has been designed in order to minimize effects on flood plain values.

### **Step 7: *Determination of No Practicable Alternative***

It is our determination that there is no practicable alternative for locating the project out of the flood zone. This is due to the need to mitigate and minimize impacts on human health, public property, and flood plain values.

A final notice will be published during the public review of these documents.

### **Step 8: *Implement the Proposed Action***

USACE will assure that this plan, as modified and described above, is executed and

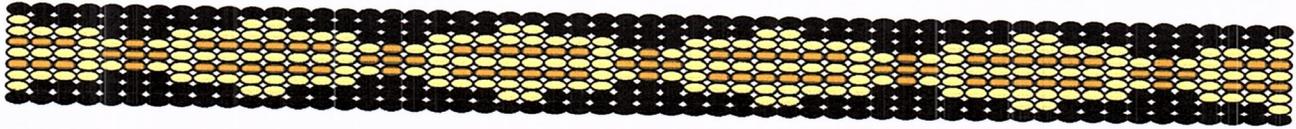
necessary language will be included in all agreements with participating parties. USACE will also take an active role in monitoring the process to ensure no unnecessary impacts occur nor unnecessary risks are taken.

# **APPENDIX C**

## **Comments for Hartwell SMP EA**

Catawba Indian Nation  
Tribal Historic Preservation Office  
1536 Tom Steven Road  
Rock Hill, South Carolina 29730

Office 803-328-2427  
Fax 803-328-5791



May 22, 2019

Attention: Cynthia Gose  
Dept. of the Army – Savannah District  
100 W. Oglethorpe Avenue  
Savannah, Georgia 31401-3604

Re. THPO #	SAC #	Project Description
2019-46-10		Draft EA to evaluate the potential impacts of updating the SMP for Hartwell Lake

Dear Ms. Gose,

The Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. **However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.**

If you have questions please contact Caitlin Rogers at 803-328-2427 ext. 226, or e-mail [caitlinh@ccppcrafts.com](mailto:caitlinh@ccppcrafts.com).

Sincerely,

Wenonah G. Haire  
Tribal Historic Preservation Officer



# POARCH BAND OF CREEK INDIANS

5811 Jack Springs Road • Atmore, Alabama 36502

Tribal Offices: (251) 368-9136

[www.poarchcreekindians-nsn.gov](http://www.poarchcreekindians-nsn.gov)

May 15, 2019

Steven A. Fischer  
Chief, Planning Branch  
Savannah District  
US Army Corps of Engineers  
100 W. Olgethorpe Avenue  
Savannah, GA 31401-3604

Re: THPO: 2019-04-0015: Proposing to update the existing Shoreline Management Plan for Hartwell Lake

Dear Mr. Fischer,

The Poarch Band of Creek Indians, Tribal Historic Preservation Office has received and reviewed the documentation submitted for the referenced project in *Franklin/ Heart/ Stephens, GA* and *Anderson/ Oconee/ Pickens, SC*. Based upon the information submitted we concur with the determination of no effect.

Should implementation of the project result in an inadvertent discovery of any material remains of past human life or activities of archaeological interest, such as chipped stone tools, pottery, bone, historic crockery, glass, metal items or building materials, the project should be halted until evaluation and consultation is complete.

Thank you for the opportunity to comment on this project. We look forward to working with you in the future. Should further correspondence pertaining to the project be necessary, please reference the above file number when responding. If you have any questions, please do not hesitate to call 251-368-9136 extension 2072.

Sincerely,

Larry D. Haikey  
Tribal Historic Preservation Officer



HISTORIC PRESERVATION DIVISION

MARK WILLIAMS  
COMMISSIONER

DR. DAVID CRASS  
DIVISION DIRECTOR

September 23, 2019

Rebecca Weiss  
Acting Chief, Planning Branch  
US Army Corps of Engineers, Savannah District  
100 West Oglethorpe Avenue  
Savannah, Georgia 31401-3604  
**Attn: Julie Morgan, Archaeologist, Planning Branch**

**RE: Hartwell Lake: Shoreline Management Plan (SMP)  
Franklin County, et. al., Georgia  
HP-190424-006**

Dear Ms. Weiss:

The Historic Preservation Division (HPD) has reviewed the information submitted concerning the above referenced project. Our comments are offered to assist the US Army Corps of Engineers (USACE) in complying with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

The subject project consists of updating the Shoreline Management Plan (SMP) for the Hartwell Project. Based on the information submitted, it is HPD's understanding that the SMP only covers private development on Lake Hartwell, which could include the development of boat docks, under brushing, utility rights of way, walkway improvements, and bank stabilization. Additionally, it is HPD's understanding that these activities are only permitted in areas designated as Limited Development Areas and Protected Shoreline Areas and not within areas designated as Public Recreation Areas (the latter of which contains standing structures). Furthermore, it is HPD's understanding that a Cultural Resources Management Plan will be drafted for the Hartwell Project, which will cover historic properties and include a schedule for inventory, status of inventories, and standard operating procedures. As such, HPD concurs that the subject project, as proposed, will have **no adverse effect** to historic properties within its area of potential effects (APE), as defined in 36 CFR Part 800.5(d)(1). We look forward to working with the USACE as additional management plans, cultural resources surveys, and related documents are completed.

This letter evidences consultation with our office for compliance with Section 106 of the NHPA. It is important to remember that any changes to this project as it is currently proposed may require additional consultation. HPD encourages federal agencies to discuss such changes with our office to ensure that potential effects to historic resources are adequately considered in project planning.

Please refer to project number **HP-190424-006** in any future correspondence on this project. If we may be of further assistance, please do not hesitate to contact Jennifer Bedell, Archaeology Compliance Unit Manager, at (770) 389-7861 or [jennifer.bedell@dnr.ga.gov](mailto:jennifer.bedell@dnr.ga.gov) or me at (770) 389-7851 or [jennifer.dixon@dnr.ga.gov](mailto:jennifer.dixon@dnr.ga.gov).

Sincerely,

Jennifer Dixon, MHP, LEED Green Associate  
Program Manager  
Environmental Review and Preservation Planning

	DATE	NAME	COMMENT	RESPONSE
1	4/17/2019	Dustin	Pressure washing walkway is necessary to remove slipping hazards (mold and pollen).	After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.
2	4/18/2019	Requested anonymity	Jump gates - they are a source of great fun and should be allowed. Insert a waiver clause in SMP for the USACE's liability to cover the issue.	Jump gates have never been authorized on Hartwell Lake. If dock plans are submitted indicating a jump gate, the plans would not be authorized by the USACE. If there are docks on Hartwell Lake with jump gates, the gates need to be permanently secured.
3	4/19/2019	Thomas	Please do not remove the minor water withdrawals from the SMP. It is the same water whether it comes from the lake or the spigot. Thanks for allowing us to comment.	No changes were proposed in the Draft SMP regarding minor water withdrawals. All permit/licenses are valid and renewed with the following notice" Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock are under further review and may ultimately not be allowed. Landowners adjacent to the lake considering any new investment to withdraw water from the lake are cautioned that they are proceeding at their own risk until the review is concluded and a policy determined."
4	4/19/2019	David	Irrigation pumps at the dock should continue to be permitted. It is the same water whether is comes from the lake or the spigot.  Request change of a red zone to LDA at *(a specific street name was provided by the commenter).	No changes were proposed in the Draft SMP regarding minor water withdrawals. All permit/licenses are valid and renewed with the following notice" Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock are under further review and may ultimately not be allowed. Landowners adjacent to the lake considering any new investment to withdraw water from the lake are cautioned that they are proceeding at their own risk until the review is concluded and a policy determined."  In order to make any changes to allocations lake-wide, a comprehensive review of the SMP and Shoreline Allocation Process would be necessary. It has been determined the time and cost estimates for a comprehensive review far exceed the budget of the current SMP update.
5	4/20/2019	Michael	I am grateful for the efforts of USACE to protect and preserve Lake Hartwell. My only request is that docks, walkways and etc. that were permitted prior to the new SMP be grandfathered in going forward.	A legacy statement was added to the 2019 SMP, #9 Shoreline Use Permits (SUPs)/Licenses. Existing SUPs/Licenses issued under previous SMP's will continue to be honored to current and future owners (except as noted in Section 15(a), Prior Commitments) provided compliance with permit/license conditions are maintained.

6	4/20/2019	Larry	<p>Electrical service certification - does this mean every five years? Electricians will use this requirement to pick up work by creating unnecessary repairs. All state registered Professional Engineers to certify, not just state licensed electricians.</p>	<p>In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years; therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.</p>
7	4/20/2019	Steve	<p>Jump gates- I hope prohibition of jump gates is not retroactive to existing gates.</p> <p>Pressure washing without chemicals should be allowed.</p> <p>Solar lights should be limited in the lumens and pointed downward as not to produce light pollution.</p>	<p>Jump gates have never been authorized on Hartwell Lake. If dock plans are submitted indicating a jump gate, the plans would not be authorized by the USACE. If there are docks on Hartwell Lake with jump gates, the gates need to be permanently secured.</p> <p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.</p> <p>Solar landscape lights are low wattage and emit minimal light. All light fixtures on public land must be down shielded.</p>
8	4/22/2019	Dennis	<p>I am curious why you want to disallow pressure washing of walkways. Mildew and damp winters, heavy pollen create a mess. A low pressure washer with water would help keep the walkway clean. What is the goal to be achieved by not allowing it?</p> <p>Thank you for allowing security cameras on docks.</p> <p>Thank you for allowing solar lights along improved walkways!</p>	<p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.</p>
9	4/22/2019	Hal & Margaret	<p>Pressure washing walkways is needed to remove tree sap and pollen since they create a slipping hazard.</p> <p>Request that walkways be allowed to be 30" above the ground.</p>	<p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.</p> <p>No changes were made regarding the maximum 24 inch height allowed for an elevated walkway.</p>

10	4/22/2019	Jack	<p>Start enforcing the existing rules.</p> <p>Enforce down shielding on public land and at boat ramps.</p> <p>Do not allow lights along pathways.</p> <p>You have a tough job.</p>	<p>Managing the nation's largest shoreline management program is a challenge with limited resources. Our goal is 100% compliance with all regulations. Gaining compliance on many violations is challenging to determine who owns an abandoned dock to seek repairs or removal, or to force compliance for compliance/corrections.</p> <p>Solar lights are low voltage and will be limited to 10" in height along walkways will be allowed under the 2019 SMP.</p>
11	4/22/2019	John	<p>The electrical certification requirement is an unnecessary burden and expense to dock owners. Please remove this requirement.</p>	<p>In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years; therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.</p>
12	4/22/2019	Hunter	<p>Just wondering why you are opposed to pressure washing walkways?</p> <p>I have a 10 x 12 metal frame on my dock and I attach sunbrella fabric during the summer with a rope. This will no longer be allowed. Please reinstate so I can continue this each year.</p>	<p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.</p> <p>Roofs of any kind (metal or fabric) on the second story dock are currently prohibited and will not be authorized under the 2019 SMP.</p>
13	4/22/2019	Richard	<p>Electrical certification - unnecessary if no changes have been made - please delete.</p>	<p>In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.</p>

14	4/23/2019	Jennifer	I am in full agreement with the proposed changes except for the electrical certification. This would be a new cost, unnecessary and recurring. Change of ownership is reasonable or new permit.	In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
15	4/23/2019	Donna	Electrical certification - This would be a new cost, unnecessary and recurring. Change of ownership is reasonable or new permit.	In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
16	4/23/2019	Dan	I am in full agreement with the proposed changes except for the electrical certification. This would be a new cost, unnecessary and recurring. Change of ownership is reasonable or new permit.	In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
17	4/25/2019	Bill	Electrical certification every 5 years would be an unnecessary, recurring cost burden on the permit holder. If no changes are made to wiring, recertification should not be required. At change of ownership is reasonable.	In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years; therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
18	4/26/2019	James	Irrigation: Draft plan states there may be a determination at a later date that could rescind use of lake water for irrigation. This would be punitive in nature. This practice has been allowed for year. Minimal amount of water needed to water lawns.	No changes were proposed in the Draft SMP regarding minor water withdrawals. All permit/licenses are valid and renewed with the following notice" Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock are under further review and may ultimately not be allowed. Landowners adjacent to the lake considering any new investment to withdraw water from the lake are cautioned that they are proceeding

				at their own risk until the review is concluded and a policy determined."
19	4/26/2019	Clay	Electrical certification should only be required at initial permit issuance and change of ownership - costly and unnecessary.	In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, churning water, and environmental conditions all place stress and wear on all dock components over the years; therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
20	4/26/2019	Emile	Ban wake boats in coves. They are dangerous, cause erosion and damage to docks and small crafts. Restrict them to open water.	The USACE does not regulate the type of vessels that can be operated on Hartwell Lake. Existing state laws establish distances for slow no wake by vessels.
21	4/27/2019	Charles	Docks that are not maintained are an eye sore and need to be addressed.  Rip rap should be required where erosion is present.	The USACE does not have the authority to charge fees for the summary removal of private property from public lands. The USACE's preferred course of action for derelict docks is to require the adjacent property owner to pay for the removal. As a last resort, the USACE will spend tax payer funds to clean up abandoned property (docks) from the lake.  The USACE cannot require an adjacent property owner to install rip rap on public land.
22	4/28/2019	Jerry & Cathy	Prior to finalizing the plan, please host a town hall.  The draft seems to omit statement that one dock can be permitted for each lots. Needs to be in new SMP.	There have been two public comment periods and 3 public meetings held during the review process to update the SMP. All comments were reviewed and considered in the final drafting of the 2019 SMP. No additional public meetings are planned.  There are no changes to SMP that state only one dock can be authorized per recorded plat/lot.
23	4/29/2019	Michael & Deborah	Change zoning from protected to LDA so we can have a dock at our house.	Maintaining a balance between private and public use of the resource is constrained since a significant amount of the undeveloped shoreline is already allocated LDA. In order to make any changes to allocations lake-wide, a comprehensive review of the SMP and Shoreline Allocation Process would be necessary. It has been determined the time and cost estimates for a comprehensive review far exceed the budget of the current SMP update.

24	4/29/2019	Margaret	Electrical certification should only be required at initial permit issuance and change of ownership - costly and unnecessary.	In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years; therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
25	4/29/2019	Glenn	Electrical certification should only be required at initial permit issuance and change of ownership - costly and unnecessary.	In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore; if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
26	4/30/2019	Preston	<p>I suggest a legacy statement to clarify that previously permitted facilities are still valid under the SMP.</p> <p>I firmly believe that allowing jump gates on second story docks is irresponsible and inviting serious injury. I have 2 friends who broke their necks jumping off bridges and died. Please hold firm to your decision to prohibit jump gates.</p>	<p>A legacy statement was added to the 2019 SMP, #9 Shoreline Use Permits (SUPs)/Licenses. Existing SUPs/Licenses issued under previous SMP's will continue to be honored to current and future owners (except as noted in Section 15(a), Prior Commitments) provided compliance with permit/license conditions are maintained.</p> <p>Jump gates have never been authorized on Hartwell Lake nor will they be allowed under the proposed SMP.</p>
27	4/30/2019	Bill	Wake boats - the USACE needs to do something about wake boats. Restrict them to big water. Create erosion, loss of trees, docks being destroyed. If you can't handle it, I will handle it my way. Need No Wake Boat buoys in coves.	The USACE does not regulate the type of vessels that can be operated on Hartwell Lake. Existing state laws establish distances for slow no wake by vessels.
28	4/30/2019	Duane	Electrical service certification should only be required initially and change of ownership.	In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years; therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership.

			Solar lighting should be allowed even if you have a second light pole as some walkways are not covered by one light.	Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.  For areas that qualify for two light poles 100' apart, solar lighting can only be authorized if the second light pole is removed.
29	4/30/2019	John	I support the solar lighting along walkways,  Need to address wiring of security camera on docks (wireless or hardwired), can the camera be installed on the power pole?  Can pictures of dead trees be emailed to ranger for permission to be removed to save rangers time?	Solar power for the dock/light pole is fully addressed in the SMP.  Security cameras can be hardwired or wireless and can be installed on the power pole or dock.  Yes, sending pictures of dead trees via email to your area ranger for review for approval for removal expedites the process and eliminates the need for a site visit by the ranger.
30	5/1/2019	Brad	Please don't take this personally but why do you all continue to restrict and restrict! I respectfully request that no further changes be implemented to the plan! Gov. agencies should assist individuals not be just enforcers! Be nice to landowners. Enough with the regulations!!	Pursuant to Title 36 CFR Part 327.30 and ER 1130-2-406, the objective of the updated SMP (being circulated with this EA) is to maintain a balance between permitted private uses, long-term natural resource protection, and public recreation opportunities. Specifically, the intended purpose of a SMP is to protect desirable environmental characteristics of Civil Works lake projects and restore shorelines where degradation has occurred through private exclusive use. The SMP must protect public lands and honor any past commitments.
31	5/3/2019	Leo	I am in strong agreement with SMP change to allow security cameras on docks	The decision to allow security cameras was based on public comments.
32	5/3/2019	David & Susan	Need legacy statement to clarify that docks authorized under previous SMPs will continue to be honored.  Solar panels are a good idea but needs more detail - needs clarification	A legacy statement was added to the 2019 SMP, #9 Shoreline Use Permits (SUPs)/Licenses. Existing SUPs/Licenses issued under previous SMP's will continue to be honored to current and future owners (except as noted in Section 15(a), Prior Commitments) provided compliance with permit/license conditions are maintained.  Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
33	5/5/2019	Robert W	Should Corps decide to ban water withdrawal for irrigation purposes consider exceptions for current permit holders-a "grandfather clause".	No changes were proposed in the Draft SMP regarding minor water withdrawals. All permit/licenses are valid and renewed with the following notice" Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock are under further review and may ultimately not be allowed. Landowners adjacent to the lake considering any new investment to withdraw water from the lake are cautioned that they are proceeding at their own risk until the review is concluded and a policy determined."

34	5/6/2019	James	<p>Lake levels should not be above 660 msl or below 656 msl for extended periods of time.</p> <p>Do not support the electrical certification requirement - totally unnecessary.</p>	<p>Water management is outside the scope of the SMP.</p> <p>In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years; therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.</p>
35	5/6/2019	Richard	<p>Improved walkways are an eye sore. Corps needs to address docks needing repair and removal from the lake.</p> <p>Only allowing solar lights adjacent to an improved walkway should also include earthen paths.</p> <p>Downed trees in the lake, can a homeowner request permission to remove at their own expense?</p>	<p>Managing the nation's largest shoreline management program is a challenge with limited resources. Our goal is 100% compliance with all regulations. Gaining compliance on many violations is challenging to determine who owns an abandoned dock to seek repairs or removal, or to force compliance for compliance/corrections.</p> <p>An improved walkway composed of natural materials would qualify for installation of solar lights.</p> <p>If the fallen trees are located within the underbrush area, the tree can be cut up and removed from public land or left on the ground. If the fallen trees are in a natural area, they should remain on the ground as they provide habitat for wildlife.</p>

36	5/7/2019	Hartford	<p>Draft SMP adds burdensome requirements of property owners: Electrical certification - at initial permit issuance only,</p> <p>not allowing pressure washing - safety issue from mold,</p> <p>Jump gates would force people to jump from rails which is more dangerous,</p> <p>Solar panels on docks - panels are unsightly and if inverters are used the risk of shock is still present.</p> <p>Irrigation issue - I thought our congressman made it clear that was a bad idea - the Corps does not learn.</p>	<p>In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years; therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.</p> <p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.</p> <p>Jump gates have never been authorized on Hartwell Lake. If dock plans are submitted indicating a jump gate, the plans would not be authorized by the USACE. If there are docks on Hartwell Lake with jump gates, the gates need to be permanently secured.</p> <p>DC Solar power can be authorized to power the dock and light pole only so the size of panel needed for this limited service is not very large. DC Solar does not involve an inverter and eliminates the stray current or possibility of shocking a swimmer.</p> <p>No changes were proposed in the Draft SMP regarding minor water withdrawals. All permit/licenses are valid and renewed with the following notice" Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock are under further review and may ultimately not be allowed. Landowners adjacent to the lake considering any new investment to withdraw water from the lake are cautioned that they are proceeding at their own risk until the review is concluded and a policy determined."</p>
37	5/7/2019	James	<p>Color of docks; Blue is an earth tone since the water is blue. Blue is less obtrusive than shiny look of aluminum.</p>	<p>The only approved colors for dock and roofs are dark brown, green, and black (with the exception of all aluminum dock).</p>
38	5/8/2019	Miriam	<p>Many docks damaged from storms that need repair. They need to be repaired or removed.</p>	<p>The USACE does not have the authority to charge fees for the summary removal of private property from public lands. The USACE's preferred course of action for derelict docks is to require the adjacent property owner to pay for the removal. As a last resort, the USACE will spend tax payer funds to clean up abandoned property (docks) from the lake.</p>

39	5/8/2019	Bob	My lot is less than 75' at the boundary line, do I get to keep my dock?	A legacy statement was added to the 2019 SMP, #9 Shoreline Use Permits (SUPs)/Licenses. Existing SUPs/Licenses issued under previous SMP's will continue to be honored to current and future owners (except as noted in Section 15(a), Prior Commitments) provided compliance with permit/license conditions are maintained.
40	5/9/2019	Michael	Pressure washing concrete: safety issue and is needed.  Electrical Service - only needed when changes made or change of ownership.	After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.  In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years; therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
41	5/9/2019	Tommy	Electrical certification is an additional cost and should only be necessary if there are changes or issues.  Thank you for all you do to protect our lake.	In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years; therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
42	5/10/2019	David	No requirements or limitations on the spacing/encroachment/location of anchorage cables and posts for private docks.	The SMP does not address the placement of anchor pins and cables – they are not considered encroachments since they are authorized and located on public land.
43	5/10/2019	Glenn	I am not in favor of restricting water withdrawals. If this prohibition is reinstated, I will lose my investment totally. Minimal effect on the lake level. Please grandfather existing pumps currently in place.	No changes were proposed in the Draft SMP regarding minor water withdrawals. All permit/licenses are valid and renewed with the following notice" Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock are under further review and may ultimately not be allowed. Landowners adjacent to the lake considering any new investment to withdraw water from the lake are cautioned that they are proceeding at their own risk until the review is concluded and a policy determined."

44	5/11/2019	Gary	<p>Jump gates: safer to jump from gate than railing. Will existing gates be grandfathered?</p> <p>Pressure washing concrete not allowed - why? Safety concerns with mold.</p> <p>Need to enforce existing rules regarding old and abandoned docks to be removed.</p> <p>Wake boats are causing tremendous damage so do not allow them in coves.</p> <p>Thanks for the opportunity to comment.</p>	<p>Jump gates have never been authorized on Hartwell Lake. If dock plans are submitted indicating a jump gate, the plans would not be authorized by the USACE. If there are docks on Hartwell Lake with jump gates, the gates need to be permanently secured.</p> <p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.</p> <p>Existing state laws establish distances for slow no wake by vessels. Managing the nation's largest shoreline management program is a challenge with limited resources. Our goal is 100% compliance with all regulations. Gaining compliance on many violations is challenging to determine who owns an abandoned dock to seek repairs or removal, or to force compliance for compliance/corrections.</p> <p>The USACE does not regulate the type of vessels that can be operated on Hartwell Lake. Existing state laws establish distances for slow no wake by vessels.</p>
45	5/11/2019	Ben	<p>Jump gates- unnecessary rules since property owners are responsible for the safety of their guests. Leave us alone.</p>	<p>Jump gates have never been authorized on Hartwell Lake. If dock plans are submitted indicating a jump gate, the plans would not be authorized by the USACE. If there are docks on Hartwell Lake with jump gates, the gates need to be permanently secured.</p>
46	5/12/2019	Mike	<p>Your guidelines for maintaining lake water levels are outdated. The low water levels over the past years makes the lake much more dangerous during the heavy boating season (summer) then it needs to be. PLS review the guidelines and make some common sense adjustments.</p>	<p>Water management is outside the scope of the SMP.</p>

47	5/12/2019	Marybeth	<p>Hi, I got your postcard in the mail that we can send in comments to this email regarding the Hartwell Shoreline Management Plan. My comment is around dock permits: I would like to petition the rule be changed that you have to purchase a dock to be able to secure your dock permit. I own a lot in Foxwood Hills subdivision and was forced to purchase a dock several years ago or I would lose my permit. Now I have to spend additional money each year moving my ramp up and down an embankment (depending on water level) as well as maintain the dock that I don't use as I don't yet have a house or a boat. This seems insane and not friendly to property owners. I spent \$15K on a dock and at least another \$400 per year maintaining or moving it. All because I was forced to buy a dock or lose my permit. I would like to request this "rule" be changed. I look forward to a reply. Thank you,</p>	<p>The current SMP and the 2019 SMP require a permitted dock to be installed within one year of issuance of the dock permit. Obtaining a dock permit without installing the dock is basically reserving a space on the water for a dock to be installed in the future. Dock permits are issued on a first-come, first-serve basis as space allows so reserving a spot on the lake is not congruent with this policy. Installation of the dock within one year from permit issuance is the only way to ensure your property remains dockable.</p>
48	5/12/2019	Art	<p>We think the Hartwell Shoreline Plan should allow permanent boat dock rights to property owners with property ownership that pre dates the actual construction of the Hartwell dam. My father was born on this property... I myself have been in and out of Hartwell 8 years before the Dam was constructed. The actual locations of the access ramps around the lake and the property ownership disadvantages they created for property owners adjacent to a ramp is penalty enough!!! The access ramp locations made in the 1950's created serious winners and relative losers, maybe this small gesture could establish a little ownership stability that I think has been earned. ( Great Grandfather Clause )</p>	<p>The 2019 SMP recognizes any individuals who have continually owned property adjacent to yellow areas and certain red areas since before 12 September 1973 as they may still qualify for a boat dock permit. The dock can be maintained by the original permittee until transfer of ownership or death of the permittee and his/her spouse, at which time such facilities must be removed from the Hartwell Project.</p>

49	5/12/2019	Maurice	<p>"Appliances including, but not limited to, sinks, showers, refrigerators, freezers, stoves, security cameras, satellite dishes, hot tubs, etc., are not permitted on docks (or public land)." I would ask that you consider removing "security cameras" from this list. With many of the docks on the lake being owned by people that are not full time lake residents, having a security camera on their dock is a good way to deter theft and vandalism. The cost of surveillance systems has come down in recent years. Some of these docks house expensive boats that are vulnerable to crime due to their remoteness. In our area alone, I know of several boats that have had gas stolen, fishing equipment stolen, and another that had a boat run into the side of their dock. Being able to check and monitor their private property gives users peace of mind.</p>	<p>Security cameras are authorized under the 2019 SMP.</p>
50	5/12/2019	Lynda	<p>My name is Lynda and I own property lots 1, 2, 3 and 4 on * (a specific street name was provided by the commenter) S.C. That was purchased by my parents in 1970. When purchased because it was in A yellow zone it had a community boat dock. They had some kind of meeting and said they sent out letters to property owners (my parents did not get one in mail) at that time. Long story short some way without my knowledge, ** who owns a lot at that time came into your office and had it changed to his name only. I came in and you added me to the dock permit. He divorced his wife and she was rewarded the home I think she came into the office and had his name removed and hers put in its place. The house was in foreclosure but she told me that she was able to do a refinance. The dock was in bad shape and needed repair I paid for it and she is going to reimburse me for her half as soon as she can. I have a duplex apt and both tenants have boats and so do I. I only have one side of the dock</p>	<p>The adjacent private property would have to meet the criteria in the 2019 SMP for community docks to qualify for additional slips. Lynda was sent an email responding to her specific question.</p>

			<p>as the other is her side. The dock is small. My question to you is, what can I do to make it larger or a community dock which it is supposed to be. Please tell me what I can do. The road that goes over to Apple Island has been grown up for many years and should not be considered a road any more. Thank you for reading this if I need to come in and sign anything I will be happy to.</p>	
51	5/12/2019	Phillip	<p>Why can't you at least keep the water that is already in the lake for those of us that have boats sitting on dry land!!! We still pay our dock fees and taxes!!!! All we need is three more feet.</p>	<p>Water management is outside the scope of the SMP.</p>
52	5/12/2019	Fred	<p>Dear Sir, We are home owners on Lake Hartwell and I'm upset that we cannot redo our road to the boat ramp. My family and I would greatly appreciate an okay to update the badly neglected road. Thank you for your time and letting us submit comments.</p>	<p>The current SMP and the 2019 SMP allow for maintenance of existing boat ramps.</p>
53	5/12/2019	Drew	<p>I appreciate trying to limit the overdevelopment on the lake. But all the shoreline rules are a waste of effort if you continue to allow the wakeboard boats. They cause more erosion than if the entire shoreline were clear cut. I have had damage to my boat and dock from the big waves they put out. Friends have had the same experience. They also cause the lake equivalent of road rage as it pits people against each other and often in pretty hot ways. I know all the stuff about being responsible for your wake and all but it is totally ineffective. The Corp of Engineers needs to review allowing wake board boats on corp lakes. These boats have a bladder to take on more water so they can put out huge waves. At a minimum they should only be allowed in main channels, not in community creeks and coves. The situation is getting worse as more of these boats are sold.</p>	<p>The USACE does not regulate the type of vessels that can be operated on Hartwell Lake. Existing state laws establish distances for slow no wake by vessels.</p>

54	5/12/2019	Robert	<p>Down shielded lighting creates too much darkness and impacts safety,</p> <p>USACE should be financially responsible for falling trees and damage,</p> <p>the SMP does not address a 15' set back from the property line and people want to build close to the line.</p>	<p>The requirement for down shielded lighting is to provide light directed down on the walkway for safe egress and to reduce light pollution around the lake.</p> <p>If an adjacent property owner's private property sustains damage from a fallen tree, they can submit a claim to the USACE Office of Council for review and consideration.</p> <p>The USACE does not impose a set back from the government boundary line.</p>
55	5/13/2019	John	<p>I think that RECREATION and keeping the lake level higher during the May to September period needs to be a much higher priority. This would require the entire management of the lake level to be devoted to managing towards the summer recreation period. I think that the summer recreational usage has the largest economic impact for all of the area surrounding the lake compared to any other current or proposed usage or time of the year. And that this economic impact should dictate the Shore Line Management Plan. Thank you for this opportunity.</p>	<p>Water management is outside the scope of the SMP.</p>
56	5/13/2019	Bane	<p>Lake Hartwell has many delightful and wonderful features for all who are privileged to enjoy it. For this we are thankful. Our suggestion would be that the US Army Corps of Engineers would manage the water flow in such a way as to keep beautiful Lake Hartwell at full pool (definitely not down by more than 2 feet)! We need the full pool water level year round! This not only affects the property owners, but the economy in both Georgia and South Carolina. The more the lake is kept at full pool, the more people will come and enjoy the lake. Thus, more economic impact will be the result and bring benefit to our communities. Also, there are property owners that cannot access the lake by boat from their docks when the water is not at full pool. Your help regarding this matter would be greatly welcomed by them. Thanks for all your intervention in regard to this sincere request.</p>	<p>Water management is outside the scope of the SMP.</p>

57	5/13/2019	Charles	<p>Retain current items below:  Dock sizes, Walkway length,  Minimum lot width at Corp line,  Minimum water depth at 660 msl  for proposed docks, Roof colors,  “Grandfathering” original under-  brushing standards, Residential  irrigation. This water use  enhances the land around the  lake and provides many of the  same functions as the natural  land.</p> <p>Please change: roofs on second  story of dock no more than 50%  of footprint area,</p> <p>more colors should be allowed  docks (school colors),</p> <p>provide simple low voltage solar  plans for docks without house  power.</p> <p>Allow handrails for ramps and  shore steps to be outside the  maximum 6 foot width by no  more than 3 1/2 inches on each  side. This would match current  standard building, fire and  accessibility codes. Current SMP  sketches actually show the  railings outside the 6 foot width  but interpretation does not allow.</p> <p>Set tree density standard in line  with permitted under-brushing.  After long period of time under-  brushing there will be no new  trees and property may not meet  required density. Trees should  NOT be required to be planted  below 665.0 msl, fluctuating lake  levels typically kill these  plantings.</p>	<p>No changes were proposed in the Draft SMP  regarding minor water withdrawals. All  permit/licenses are valid and renewed with the  following notice." Landowners adjacent to the lake  are advised that Minor Water Withdrawals for use  beyond the dock are under further review and may  ultimately not be allowed. Landowners adjacent to the  lake considering any new investment to withdraw  water from the lake are cautioned that they are  proceeding at their own risk until the review is  concluded and a policy determined."</p> <p>Roofs on second story docks are not authorized in the  2019 SMP.</p> <p>Roof colors are restricted to earth tone colors of dark  green, brown, black, etc.</p> <p>Solar power to the dock is an option in the new SMP.</p> <p>All walkways, gangplanks and step can be a  maximum of 6 feet wide with the handrails within the 6  feet width. Steps on the shoreline can be a maximum  of 6' wide and may have 1 foot on each side to  accommodate the wheels of the gangwalk, for a total  of 8' in width.</p> <p>No changes were made to the required tree density in  the proposed SMP. Adjacent property owners are  encouraged to have a combination of smaller trees  combined with mature trees to meet the required tree  density to account for attrition of the older trees over  time.</p>
58	5/13/2019	Jeff	<p>Everything is fine, except for  <b>GROSS INCOMPETENCE</b>  regarding managing the level of  Lake Hartwell! Come on folks,  get it together! If you have  <b>ZERO CONTROL</b> of inflows,  manage outflows with brains and  care!</p>	<p>Water management is outside the scope of the SMP.</p>

59	5/13/2019	Mike	<p>I have one comment around condition 17. I do not believe escalation should remain in the Corps. I believe there should be a public panel to hear both sides and render a decision that is accepted by all. The Corps is on one side, and in this SMP is also the judge which is wrong. The land belongs to the public and they should have final say.</p> <p>A lot of this SMP plan is mute with the way the lake level is managed. I would encourage the Corps to spend even more effort keeping the lake levels aligned to the guide curve. How the SMP is managed does not matter if the lake is so low it is dangerous to use or so low docks are sitting on land. I would appreciate if the corps would publish a modern updated lake level management plan for the public to review. I know many of the reasons for the unacceptable fluctuations are outdated by at least 30 years and need to be updated. Not effectively addressing this had painted the Corps management in a negative way.</p> <p>I would also like to complement the Corp rangers who keep the lake safe. In all my interactions with the rangers they have been courteous and helpful. I feel safe when I see their boats cruising by.</p>	<p>The USACE is responsible for the stewardship and management of the Hartwell Project to balance competing demands and balance. The SMP specifically balances the privileges adjacent property can be permitted with public use. The final authority for decisions related to the SMP and associated permits/licenses lies solely with the Savannah District Commander, in accordance with Title 36, 327.30.</p> <p>Water management is outside the scope of the SMP.</p>
60	5/14/2019	Barbara	<p>I do not support the solar lights along walkways because collectively, it will ruin natural setting.</p>	<p>Low voltage solar landscape lights can be authorized under the 2019 SMP along a walkway, 1 light every 10 ft., limited to 10" in height in an effort to illuminate the walkway for safety concerns but limit light pollution.</p>
61	5/14/2019	Gary	<p>Pressure washing walkways is needed to remove tree sap and pollen since they create a slipping hazard.</p>	<p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.</p>
62	5/14/2019	Scott	<p>Ban wake boats,</p> <p>rules around dock colors, solar light spacing, and concrete washing don't protect the</p>	<p>The USACE does not regulate the type of vessels that can be operated on Hartwell Lake. Existing state laws establish distances for slow no wake by vessels.</p> <p>Pursuant to Title 36 CFR Part 327.30 and ER 1130-2-406, the objective of the SMP is to maintain a balance between permitted private uses, long-term natural</p>

			integrity of the lake - make rules that matter. Eliminate the rules that don't really matter.	resource protection, and public recreation opportunities. Specifically, the intended purpose of a SMP is to protect desirable environmental characteristics of Civil Works lake projects and restore shorelines where degradation has occurred through private exclusive use.
63	5/15/2019	John	<p>Thank you for this opportunity to provide input that may be considered while revising the Shore-line Management Plan for Hartwell Lake. Suggestions for improved management of Hartwell Lake:</p> <ol style="list-style-type: none"> <li>1. Change the definition of full-pool to 662 feet.</li> <li>2. Change the lake's outflow to insure that Hartwell Lake is no lower than two feet below full pool at any given time or keep Hartwell's level within one foot of the average fill-level of next two down river lakes. Clearly over-time our weather patterns have changed and it is time to change lake level fill requirements in response.</li> <li>3. Charge owners and remove docks from the lake that are not usable or are a danger to persons, wildlife, or property.</li> <li>4. Allow dry dredging in hard pan. Lake Lanier allows such dredging. This year I spend almost \$30,000 on dry dredging in Hartwell Lake and as of this date I still have no water under my dock.</li> <li>5. Work with congress to change the tax code (retroactive to include 2017) to allow for tax deductions for property owners who invest money dry dredging corps managed lakes. This will encourage owners to dredge. It will provide a public service that will result in an increased quantity of water being impounded, it will improve the shore-line by removing debris and unwanted trash from near the shore which is a danger to people and to wild life, it will improve recreation opportunities, and it will improve residential</li> </ol>	<p>Water management is outside the scope of the SMP.</p> <p>The USACE's preferred course of action for derelict docks is to require the adjacent property owner to pay for the removal. As a last resort, the USACE will spend tax payer funds to clean up abandoned property (docks) from the lake. Dredging can be authorized "in the dry only" during period of low water.</p> <p>The Hartwell Project will not endorse a dredging application to the Corps Regulatory division for adjacent property owners to dredge into hard pan.</p> <p>Any changes to federal tax codes must be initiated and approved by Congress.</p>

			lake land values resulting in higher assessments and more tax revenue for municipalities. This change in tax code would be a win/win for corps lakes, land owners, municipalities, recreation opportunities, and wildlife. Thank you for considering my suggestions for improved shoreline management at Hartwell Lake.	
64	5/15/2019	Douglas	<p>I would like to see the return of new docks with a covered area on an upper deck. Many of us would like to be able to order new docks with a shaded area. It may be noted that several dock owners have put up canvas gazebo type structures once the regulation to stop upper level covers was put in place. By allowing and regulating covered upper decks I believe a more uniform look would be achieved overall on the lake.</p> <p>The other issue I have, which may or may not fall under shoreline management, is the damage being done by wake boats. These slow moving boats take on extra water in order to create 2-3 foot waves for the wake boarders to surf behind. Great fun I am sure, however these same 2-3 foot waves are hitting the shore causing accelerated erosion to the banks. This is especially true when there are two and sometimes three of them at a time going up and down Paynes Creek. In addition to the erosion they are causing harm and damage to docks and boats. Last year my neighbor had to have several welds on his dock redone due to the excessive shaking caused by these boats. I have not so far had dock damage but due to the shear movement between boat and dock and the bouncing in opposite directions caused by these waves have had to replace ropes securing my boat after as little as three weeks. It is hard to enjoy sitting on your dock when the waves threaten to bounce you out of your chair because of large wake. There is a reason that all boats must not</p>	<p>Roofs on second story of a dock are not authorized in the 2019 SMP. In accordance with ER 1130-2-406, permits for boat docks may be issue for the purpose of mooring a vessel and associated gear essential to vessel operation. A roof on a second story of a dock does not meet this criteria.</p> <p>The USACE does not regulate the type of vessels that can be operated on Hartwell Lake. Existing state laws establish distances for slow no wake by vessels.</p>

			<p>cause wake within 100 feet of a dock by law. These boats even though more than 100 feet out cause even larger wake than a ski boat 50 feet out. Like kite skiing which is not allowed I feel either these boats should be banned or someone should be held responsible for damage to personal property.</p>	
65	15-May	Bob	<p>We live on Lake Hartwell at the northern end of the lake on *(a specific street name was provided by the commenter). We moved here 4 years ago and paid a material premium for waterfront property. Your continued reduction of water levels has substantially reduced the value of our property with the water being removed for 6 months and with our docks being totally grounded. All of the docks at this end of the cove are grounded and unusable! Will the Corps take action to reduce my property taxes since the property has lost so much value? Waterfront homes in this area that are for sale cannot be sold because water levels are so low they can no longer be considered waterfront homes. The Corps owes me \$125,000 for my lost home value and for the docks that are useless. All of the home owners in the Bayshore Community that own waterfront homes are disgusted with your shoreline management procedures!</p>	Water management is outside the scope of the SMP.

66	5/15/2019	Ken	<p>The major change that I would like to see to the SMP is to allow better management of timber. In my case I have lots of nice hardwoods, mostly oaks, on the shore line with lots of pines mixed in. The pines in my opinion are taking so much of the nutrients out of the soil that some of my oaks are dying, and eventually the pines get infested with beetles and die as well. If I were allowed to remove some of the pines I think that it would allow the oaks to thrive. Also in my case this would not impact having trees the proper distance apart. As an example this year I had a beautiful dogwood growing close to a pine and the dogwood died. This problem has been compounded due to draught conditions in the past few years. We have a very good Corps Office but due to SMP there is only so much he can do.</p> <p>Secondly, obviously I would like better management of the water levels. I believe this could be done if there was some discretion given to manage the entire Savannah system rather than having everything regulated by government, at least as I understand it. Things change and we just have to change with it.</p>	<p>Diseased or dying trees can be marked by a USACE Ranger for removal and replanted with numerous trees on the approved planting list to ensure a diverse forest.</p> <p>Water management is outside the scope of the SMP.</p>
67	5/15/2019	Shannon	<p>I'm ok with the shoreline PDF from 2007 that you have presented.</p> <p>I just wish the Corp would take recreation into consideration much more than it does when determining how much water to release. We are in a drought and you guys are pulling way more water than is required. I have a lake house on Hartwell and I can't even pull my boat to my dock because you've let out too much water. It seems you are more concerned with power producing lakes and downstream lakes/rivers. Take recreation into consideration please.</p>	<p>Water management is outside the scope of the SMP.</p>
68	5/15/2019	Jack	<p>I am writing to give input for the new shoreline management plan. I have lived on Lake Hartwell since 1986 and have</p>	<p>Water management is outside the scope of the SMP.</p>

		<p>seen drastic fluctuations in lake levels that affect the usage of the lake and facilities along with all the businesses surrounding the lake. The current plan, has flood control, and power generation, as the main initiators of lake level. I will recreation should also be a main priority. I have learned in my 31 years here that this lake is a rain driven lake. Drawing down the lake in the fall without knowing how much rain we will get in the winter and spring is not a good water management plan. I've seen how quickly the generators can drop the lake as needed for flood control and thus let the lake come up and go down on its own natural level and adjust as need based on ACTUAL rainfall.</p> <p>Also, The corps currently permits many docks on the lake that are an eyesore and a danger to the owners and the environment. Docks should be kept in good condition or run the risk of the permit being revoked for the safety of the owners and corps.</p> <p>We have a beautiful lake that we should be proud of and be able to enjoy all year long and with a better water level management plan this will have a positive effect on the owners and business surrounding the area.</p>	<p>The USACE's preferred course of action for derelict docks is to require the adjacent property owner to pay for the removal. As a last resort, the USACE will spend tax payer funds to clean up abandoned private property (docks) from the lake.</p> <p>Water management is outside the scope of the SMP.</p>
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69	5/15/2019	Timothy	<p>Like the fact that the shoreline is managed and there are restrictions for additions, keeps the lakes natural appearance and clean of shoreline clutter.</p> <p>- would Like to be have restricted opportunities to improve appearance such as: adding grass, cleaning up excessive leaves, planting flowers or shrubbery (as long as pesticides and fertilizer are not used),</p> <p>I would vote to have the covenant for two story docks to be reviewed and replaced with regulated approval of covered area on top level. There are several docks on lake Hartwell with grandfather clause that allows covered area on top platform. As long as the structure meets a standard criteria, should be allowed.</p> <p>- Water level management during drought needs to be reviewed with recreation and current inflow in mind to establish a more consistent Water level.</p>	<p>Leaf litter and pine straw are environmentally beneficial to preventing erosion, filtering the run off prior to entering the lake. Planting grass or ornamental shrubs and flowers make public land look like private property, which should remain natural.</p> <p>The 2019 SMP does not allow planting of grass, shrubs, flowers or raking and removal of leaf litter or pine straw from public land.</p> <p>Any dock currently authorized on the lake that has a covered second story will continue to be honored to the current or future owners. If the dock is sold and moved from the permitted location, the rood must be removed from the second story.</p> <p>Water management is outside the scope of the SMP.</p>
70	5/15/2019	Candice	<p>With the next update to the SMP, can you please consider allowing us to add a roof to the 2nd story of our docks? A nearby neighbor's dock has a half-roof – complete with lights and ceiling fans – that I admire very much. If allowed, I should would like to half-roof my dock also. That would let the sun-lovers enjoy sunning and us old folks to be fanned in the shade. Aaaaah.... Feel the breeze! Just wanted to put my 2 cents in – thanks for accepting our input.</p>	<p>Roofs of any kind (metal or fabric) on the second story dock are currently prohibited and will not be authorized under the 2019 SMP. In accordance with ER 1130-2-406, permits for boat docks may be issue for the purpose of mooring a vessel and associated gear essential to vessel operation. A roof on a second story of a dock does not meet this criteria.</p>

71	5/15/2019	Bobby	<p>My comment is in regard to the area designated yellow. I fully understand and appreciate the reason you have set aside shoreline for future generations. Some of the shore line that was originally designated yellow was already adjacent to private property that had been previously developed. When this was discovered congress passed a bill and as you know the COE allowed property with permits to be grandfathered. As you know restrictions were put on the grandfathered clauses which precludes expansion docks, new docks etc. I assume you are aware neighborhoods exist with 1 property not being allowed a dock and the property next door or across the street being allowed a dock? Now I ask you is this shore line really going be used in the future? I understand that the COE is not in the real estate appraisal or sales business but, by default you are. Allowing property next to each other on the same shore line to selectively have permits or not because of an original mistake in its shoreline designation effects the value of these homes and property. I don't think it would take a huge effort or change to correct this once and for all. If property is in a yellow zone that has other property that has been grandfathered. Then bring all to a green zone or as a minimum allow docks for all properties. Allow the minimum size dock equal to the largest existing current dock. Thank you for reviewing.</p>	<p>Maintaining a balance between private and public use of the resource is constrained since a significant amount of the undeveloped shoreline is already allocated LDA. In order to make any changes to allocations lake-wide, a comprehensive review of the SMP and Shoreline Allocation Process would be necessary. It has been determined the time and cost estimates for a comprehensive review far exceed the budget of the current SMP update.</p>
72	5/15/2019	Dan	<p>95 per cent of my opinion is based upon how lake levels are managed. I would rate that a D.</p> <p>Other parts of management appears to be acceptable.</p>	<p>Water management is outside the scope of the SMP.</p>

73	5/15/2019	Mike	<p>Electrical certification - unnecessary burden and expense. Not needed unless changes have been made.</p> <p>I am happy to see security cameras will be allowed and the solar lights - thanks!</p>	<p>In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.</p>
74	5/15/2019	Greg	<p>Jump gates- I hope prohibition of jump gates is not retroactive to existing gates. Can I just lock it shut?</p>	<p>Jump gates have never been authorized on Hartwell Lake. If dock plans are submitted indicating a jump gate, the plans would not be authorized by the USACE. If there are docks on Hartwell Lake with jump gates, the gates need to be permanently secured.</p>
75	5/15/2019	Nancy	<p>I disagree your policy regarding grandfathered docks only being able to repair their dock but not replace. Anyone with an existing dock, valid permit should be allowed to replace it with a new dock of equal size.</p>	<p>Prior Commitment and Public Law docks can be replaced with the same size dock as originally permitted.</p>
76	5/15/2019	Roger	<p>Most of the proposed changes are good for the lake, environment and aesthetics.</p> <p>I am concerned about the prohibition for jump gates on second story docks. The prohibition will lead to more people climbing furniture and handrails which is more dangerous than gates.</p>	<p>Jump gates have never been authorized on Hartwell Lake. If dock plans are submitted indicating a jump gate, the plans would not be authorized by the USACE. If there are docks on Hartwell Lake with jump gates, the gates need to be permanently secured.</p>
77	5/15/2019	Rhea	<p>With history of fluctuation of lake levels, upgrading some Protected Shoreline Areas to Limited Development Areas so they become dockable.</p> <p>10.k-prohibiting "appliances" among those listed are "stoves"- please specify state that removable grills are permissible on dock. If you mean to prohibit such grills going forward please grandfather existing grills.</p> <p>The illustrations about 90 degree test and running frontage are difficult for the lay person to understand. Illustrate and clarify further. If there is a change in the frontage required in the SMP compared to previous years please state clearly.</p>	<p>Maintaining a balance between private and public use of the resource is constrained since a significant amount of the undeveloped shoreline is already allocated LDA. In order to make any changes to allocations lake-wide, a comprehensive review of the SMP and Shoreline Allocation Process would be necessary. It has been determined the time and cost estimates for a comprehensive review far exceed the budget of the current SMP update.</p> <p>The SMP does not address grills.</p> <p>There are no new requirements in the proposed SMP regarding primary frontage. Licensed around the surveyors are familiar with our 90 degree projection survey requirements.</p>

78	5/15/2019	Ken & Sherry	<p>We don't like having to remove our irrigations lines each time we use them - waste of time.</p> <p>It's not fair to regulate property owners when water companies pump at will.</p>	<p>No changes were proposed in the Draft SMP regarding minor water withdrawals. All permit/licenses are valid and renewed with the following notice "Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock are under further review and may ultimately not be allowed. Landowners adjacent to the lake considering any new investment to withdraw water from the lake are cautioned that they are proceeding at their own risk until the review is concluded and a policy determined."</p> <p>Water companies have purchased a contract for an established quantity of water from the USACE to provide potable and non-potable water for communities.</p>
79	5/15/2019	Paul	<p>I just want to say thank you for the opportunity to review and offer comments concerning the Shoreline Management plan. I read over it and feel there is minimal changes.</p> <p>I am glad to see the pumping of non-potable water is still allowed. As we all know irrigating our lawns with Lake water has little to no effect on the lake levels.</p>	<p>No changes were proposed in the Draft SMP regarding minor water withdrawals. All permit/licenses are valid and renewed with the following notice "Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock are under further review and may ultimately not be allowed. Landowners adjacent to the lake considering any new investment to withdraw water from the lake are cautioned that they are proceeding at their own risk until the review is concluded and a policy determined."</p>
80	*N/A	Mark	<p>A golf cannot be turned around in attached sketch. Propose a change to attached sketch - turnouts</p>	<p>The dimensions for the golf cart path turnout remains the same and was not enlarged in the 2019 SMP.</p>
81	*N/A	Wilson	<p>No comments but provided rating on SMP and EA</p>	<p>Approves of the proposed SMP and strongly approves of EA.</p>
82	*N/A	Roger & Summer	<p>Thank you for your time and commitment.</p>	<p>Approves of the proposed SMP and EA.</p>
83	*N/A	Thomas.	<p>Electrical certification prior to renewal is a burdensome expense and was required to get initial permit.</p> <p>Corps requires trees, leaves stain walkways. Pressure washing each spring precludes a slipping hazard but repainting is not normal maintenance.</p>	<p>In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.</p> <p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.</p>

			<p>Jumpers will be climbing over the handrail, thereby jumping from 3 ft. higher-introduces additional hazards.</p> <p>There is no stated limit on size of solar panels and their addition is visual clutter along walkway. Nothing to preclude high voltage systems with batteries &amp; power inverters. Would the systems require initial &amp; periodic inspection by a state licensed electrician?</p> <p>A threat of withdrawing irrigation is present in plan but issue was addressed in Jan 2016. No mention of grandfathering of 84 existing conditions that have been previously permitted.</p>	<p>Jump gates have never been authorized on Hartwell Lake. If dock plans are submitted indicating a jump gate, the plans would not be authorized by the USACE. If there are docks on Hartwell Lake with jump gates, the gates need to be permanently secured.</p> <p>Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician. DC solar power does not have a power inverter and therefore eliminates the risk of stray current or shock. The DC solar system can provide power for the dock and light pole only.</p> <p>No changes were proposed in the Draft SMP regarding minor water withdrawals. All permit/licenses are valid and renewed with the following notice "Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock are under further review and may ultimately not be allowed. Landowners adjacent to the lake considering any new investment to withdraw water from the lake are cautioned that they are proceeding at their own risk until the review is concluded and a policy determined."</p>
84	4/26/20109	James	<p>Electrical certification every 5 years would be an unnecessary, recurring cost burden on the permit holder. If no changes are made to wiring, recertification should not be required. Existing docks should be grandfathered and only new docks should be required to certify. It should not be so difficult for people to acquire a dock permit.</p>	<p>In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.</p>

85	mailed in	Kerry	<p>90 degree projection survey requirement is excessive cost for homeowners.</p> <p>Rebar pins at 660 are a hazard to swimmers and boaters.</p> <p>New docks should limit height of construction of storage boxes to 48" max.</p> <p>I think aftermarket attachments for canoes (not touching the water) should be allowed without approval from the USACE.</p> <p>I am not clear about the solar panels.</p> <p>Why is pressure washing sidewalks prohibited?</p> <p>Overall, I think the document is headed in the right direction.</p>	<p>The requirement for a 90 degree projection survey was incorporated into the 2007 SMP and remains in the 2019 SMP to assist the rangers to delineate primary frontage for placement of docks and facilities competing for space along the shoreline.</p> <p>Height of storage boxes remain limited to 48" maximum.</p> <p>Any attachments to a dock must be approved by the USACE as it increases the footprint of the dock and impacts the required 50' spacing between docks.</p> <p>DC solar panels can be installed on the dock or power pole to provide electrical service to the dock and light.</p> <p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.</p>
86		Robert	<p>Wish more underbrushing allowed. Buoys' &amp; markers need to be updated &amp; lighted.</p>	<p>The 2019 SMP does not expand the amount of underbrushing that can be authorized. The Hartwell Project does not have sufficient funding to illuminate the 1,200 navigational buoys on Hartwell Lake.</p>
87		Arnold	<p>It is wrong to require people to pay for inspection/certification at every renewal &amp; change of ownership. I should not have to be paid prior to the change of the current owner, should be the responsibility of the new owner prior to getting their permit.</p> <p>By allowing trees, walkway get moss on it that is slick and causes fall. Please don't prohibit power washing.</p>	<p>In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.</p> <p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.</p>

88		Dru-Ann	Irrigation pumps at the dock should continue to be permitted. If Corps disallows then current pump user should be "grandfathered" in. If done away with then compensation should be given.	No changes were proposed in the Draft SMP regarding minor water withdrawals. All permit/licenses are valid and renewed with the following notice "Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock are under further review and may ultimately not be allowed. Landowners adjacent to the lake considering any new investment to withdraw water from the lake are cautioned that they are proceeding at their own risk until the review is concluded and a policy determined."
89		Charles	Main issue is proposed banning of watering yard from lake water. Only a small amount of water is used by people. City of Harwell residents use their water for their yard but we are banned. Should be "grandfathered" in. Propose temporary restrictions during water shortages or charge a fee for usage & not a ban.	No changes were proposed in the Draft SMP regarding minor water withdrawals. All permit/licenses are valid and renewed with the following notice "Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock are under further review and may ultimately not be allowed. Landowners adjacent to the lake considering any new investment to withdraw water from the lake are cautioned that they are proceeding at their own risk until the review is concluded and a policy determined."
90		Arenda	Hardship for those of us on fixed income to comply with new rules.	The assumption to this comment is it is in reference to the requirement for electrical inspection every 5 years. Homeowners have the option to remove power from the dock and eliminate the inspection requirement or they may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
91		Matthew	Would like language added protecting permitted stakeholders with 75' boundary line. Grandfather clause would suffice.  Consider limitations on vessels that utilize ballast tanks in motors. Wake from vessels causes damage to shoreline, docks, etc.	A legacy statement was added to the 2019 SMP, #9 Shoreline Use Permits (SUPs)/Licenses. Existing SUPs/Licenses issued under previous SMP's will continue to be honored to current and future owners (except as noted in Section 15(a), Prior Commitments) provided compliance with permit/license conditions are maintained.  The USACE does not regulate the type of vessels that can be operated on Hartwell Lake. Existing state laws establish distances for slow no wake by vessels.
92		Robert	Consider allowing roofs on upper decks of docks or at least establish a waiver system for people who suffer from skin cancer.	Roofs of any kind (metal or fabric) on the second story dock are currently prohibited and will not be authorized under the 2019 SMP. In accordance with ER 1130-2-406, permits for boat docks may be issue for the purpose of mooring a vessel and associated gear essential to vessel operation. A roof on a second story of a dock does not meet this criteria.
93		Heath	Leave the 75' proposal and all proposals having to do with underbrushing.  Current property owners be grandfathered from any proposed changes, new or in the future.	No proposed changes to the statement, a common boundary of 75 feet is required remains  A legacy statement was added to the 2019 SMP, #9 Shoreline Use Permits (SUPs)/Licenses. Existing SUPs/Licenses issued under previous SMP's will continue to be honored to current and future owners (except as noted in Section 15(a), Prior

				Commitments) provided compliance with permit/license conditions are maintained.
94		Andrew B	Seems excessive for all electrical services to be certified by an electrician prior to renewal since it's required at initial issuance and change of ownership.	In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
95		Douglas	I understand the need for an initial certification for electrical. I see no need for recertification at renewal time. Would double the cost of permit.	In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.
96		Thomas	Earth tone colors should include grey & tan to reduce heat build-up.  Request allowing pressure washing walkway without chemical detergent to remove mildew.	We are not clear if the comment is regarding dock roof colors or stain/dye for concrete. The only approved colors for dock and roofs are dark brown, green, and black (with the exception of all aluminum dock). Concrete must be stained/dyed black or brown for aesthetics.  After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.
97		Paul	Please allow for the continued use of existing docks. Property line is 6 ft. short of the 75 ft. minimum for docks in the proposed plan-no mention of grandfathering existing docks.	A legacy statement was added to the 2019 SMP, #9 Shoreline Use Permits (SUPs)/Licenses. Existing SUPs/Licenses issued under previous SMP's will continue to be honored to current and future owners (except as noted in Section 15(a), Prior Commitments) provided compliance with permit/license conditions are maintained.

98		William & Evangeline	<p>10e-Place "No Restrictions" on water depth.</p> <p>14(2)-Delete "Prior to Renewal" for electrical certification.</p> <p>14b-Delete last paragraph under 14b-cost too great.</p> <p>17-not required if lake level maintained at 660msl.</p> <p>14a (2)-Delete "If solar lighting is installed, property would not qualify for a second light pole."</p> <p>Lake levels are not addressed.</p>	<p>The 4' water depth requirement remains in effect in the proposed SMP.</p> <p>In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician, or they can remove electrical service from the dock and eliminate the requirement for electrical inspection.</p> <p>Water management is outside the scope of the SMP</p> <p>For areas that qualify for two light poles 100' apart, solar lighting can only be authorized if the second light pole is removed.</p> <p>Water management is outside the scope of the SMP</p>
99		Bob	<p>Deferring dock permits when lake is above 656 or below 660 seems troublesome to buyers.</p> <p>Recertifying electrical for renewals. Seems costly.</p> <p>Walkways should remain permittable even without a dock.</p> <p>Allow walkways to be pressure washed at any time.</p>	<p>Deferring the issuance of a dock permit may be necessary during periods of low/high water since docks are usually not at their permitted location and rangers cannot ensure minimum spacing requirements are met.</p> <p>In an effort to improve and ensure public safety, all lakes managed by the USACE in the South Atlantic Division require recertification of the electrical services to a dock authorized under the SMP. Fluctuating lake levels, chasing water, and environmental conditions all place stress and wear on all dock components over the years therefore if electrical service is provided to a dock, it must be certified by a state licensed electrician (as required in the SUP Conditions, #33) prior to permit issuance, renewal, or transfer of ownership. Dock owners may install DC solar to the dock which does not require electrical certification by a state licensed electrician.</p> <p>Rights of Way are supporting facilities to a dock and will only be licensed if a dock is authorized. Properties with less than 75 feet of shared boundary line within an LDA with an existing dock may still be authorized for utilities and an improved walkway.</p> <p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP and stain/dye of concrete must be maintained.</p>

			EPA has too much control of COE policies.	The EPA does not govern USACE polices regarding shoreline management.
100		Chris	<p>Solar lighting-consider lumens output &amp; color restrictions.</p> <p>Pressure wash walkways-becomes dangerously slick.</p> <p>Rip-rap - restrict use of limestone, unnatural rock is eye sore.</p> <p>Jump gates-more dangerous climbing over, require proper latches/locks.</p> <p>Consider allowing 2nd level dock roof, color restricted.</p> <p>Drop down canvas boat garages are eye sore.</p>	<p>Solar landscape lights are low voltage.</p> <p>After reviewing the comments received, it was clear no one understood the rationale for not allowing pressure washing of walkways - to allow them to darken naturally since most were not being stained as required. The safety concerns about removing mold, pollen and debris were valid therefore prohibition of pressure washing concrete was removed from the SMP.</p> <p>Limestone is the most commonly used stone for rip rap as river stone is cost prohibitive.</p> <p>Jump gates have never been authorized on Hartwell Lake. If dock plans are submitted indicating a jump gate, the plans would not be authorized by the USACE. If there are docks on Hartwell Lake with jump gates, the gates need to be permanently secured.</p> <p>Roofs of any kind (metal or fabric) on the second story dock are currently prohibited and will not be authorized under the 2019 SMP. In accordance with ER 1130-2-406, permits for boat docks may be issue for the purpose of mooring a vessel and associated gear essential to vessel operation. A roof on a second story of a dock does not meet this criteria.</p> <p>Canvas boat covers/garages are not addressed in the SMP since they are not part of the dock.</p>