

**PROJECT OPERATION  
SHORELINE MANAGEMENT PLAN  
FOR J. STROM THURMOND LAKE PROJECT  
GEORGIA AND SOUTH CAROLINA**

**DISTRICT PAMPHLET  
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**SHORELINE MANAGEMENT PLAN  
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**1. Purpose.** This Shoreline Management Plan, J. Strom Thurmond Lake Project (Thurmond Lake), was developed in accordance with the requirements of Engineer Regulation 1130-2-406, "Shoreline Management at Civil Works Projects" to provide guidance and information for efficiently and effectively managing the shoreline, including adjacent public lands and waters of Thurmond Lake. As public property, Thurmond Lake is available for use by all. The types of private uses which may be permitted on lands and waters managed by the U.S. Army Corps of Engineers (Corps) are described in this plan. This plan also addresses shoreline allocations, rules, regulations, and other relevant information specific to the Thurmond Lake Shoreline Management Program.

**2. Policy.** It is the policy of the Chief of Engineers to protect and manage shorelines of all Civil Works water resource development projects under Corps jurisdiction in a manner that promotes safe and healthful use of these shorelines by the public while maintaining environmental safeguards to ensure a quality resource for use by the public. Public access to these shorelines shall be preserved. The Corps is required to achieve a balance between authorized private uses and resource protection for general public use.

**3. Objective.** The primary objective of this plan is to define the policies and regulations pertaining to the shoreline at Thurmond Lake that will maintain a balance between authorized private uses, long-term protection of natural and cultural resources, and public recreational opportunities. The Corps is responsible and accountable for managing the shoreline, including adjacent public lands and waters in a manner that promotes safe and healthful public use and also maintains environmental safeguards. Sustaining quality natural resources for present and future generations while providing public access to project lands and waters is a continual goal.

**4. References.** This plan was developed and prepared in accordance with the requirements directed in Engineer Regulation (ER) 1130-2-406, dated October 31, 1990, titled "Project Operation – Shoreline Management at Civil Works Projects," and amended by change 1 dated September 14, 1992, and change 2 dated May 28, 1999. References include:

- a. Section 4 of the Flood Control Act of 1944, as amended (16 U.S.C. 460d).
- b. Rivers and Harbors Act of 1894, as amended (33 U.S.C. 1).
- c. Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403).
- d. National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.).
- e. Clean Water Act (33 U.S.C. 1344, et seq.).
- f. Title V (Shoreline Protection) of the Water Resources Development Act of 1986 (P.L. 99-662).

- g. National Historic Preservation Act of 1966, as amended (16 USC 470 et seq.).
- h. Endangered Species Act of 1973, as amended (16 U.S.C. 1531, et seq.).
- i. Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136).
- j. Section 6, Public Law 97-140, 29 December 1981, 95 Stat. 1718.
- k. Section 1134(d) of the Water Resources Development Act of 1986 (Public Law 99-662).
- l. Title 33, Chapter II, Part 323, Code of Federal Regulations (33 C.F.R. Part 323), Permits for Discharges of Dredged or Fill Material into Waters of the United States.
- m. 36 C.F.R. § 327, Rules and Regulations Governing Public Use of Water Resources Development Projects Administered by the Chief of Engineers.
- n. Executive Order No. 12088, Federal Compliance with Pollution Control Standards (13 October 1978), as amended by Executive Order 12580, "Superfund Implementation" (23 January 1987).
- o. Executive Order No. 11990, Protection of Wetlands (24 May 1977), as amended by Section 28 of Executive Order 12608, "Elimination of Unnecessary Executive Orders and Technical Amendments to Others" (9 September 1987).
- p. ER 1130-2-406, Shoreline Management at Civil Works Projects.
- q. ER 1130-2-540, Environmental Stewardship Operations and Maintenance Policies.
- r. ER 405-1-12, Real Estate Handbook, Chapter 8, Real Property Management.
- s. Division Regulation (DR) 1130-15-1, Shoreline Management at South Atlantic Division Civil Works Projects (1 December 2015)

## 5. Project Description and History.

a. J. Strom Thurmond Lake. J. Strom Thurmond Dam and Lake was authorized by the Flood Control Act of 1944 and originally constructed as the Clark Hill Reservoir. It was the first Corps flood control project built in the Savannah River Basin. Construction was completed in 1954. This multi-purpose project is located 22 miles above Augusta, Georgia, and authorized purposes include flood control, navigation, hydroelectric power production, recreation, water quality/supply, and fish and wildlife management. Thurmond Dam impounds a lake that stretches nearly 40 miles up the Savannah River and 26 miles up the Little River, Georgia. The lake covers approximately 71,100 acres at the normal summer pool elevation of 330' mean sea level (msl) and has nearly 1,200 miles of shoreline, including 115 miles of island shoreline. The entire project comprises 150,000 acres of land and water. Thurmond Lake is one of the largest inland water bodies in the Southeast, with mixed stands of pines and hardwoods covering the lake's shoreline, providing habitat for a diversity of plants and animals.

b. Shoreline Management. Development of the preliminary shoreline allocation plan was initiated in 1973. The Interim Lakeshore Management Plan was adopted in June 1976 as an appendix to the Clark Hill Master Plan. This plan was

used as an interim plan until the Clarks Hill Lake Lakeshore Management Plan was approved and implemented in April 1983. A revision of the 1983 Lakeshore Management Plan was initiated in 1992, resulting in the approval and implementation of the J. Strom Thurmond Lake Shoreline Management Plan in June 1993. The plan was subsequently revised and implemented as the J. Strom Thurmond Project Shoreline Management Plan in January 2001. Review of the 2001 plan was initiated in 2010, but was delayed until 2015 due to budget constraints.

**6. Public Involvement.** In February 2015, notification was provided to the appropriate congressional delegations, local elected officials, current shoreline use permit holders and the general public concerning the public scoping process to update the 2001 plan. Three public workshops were conducted as open houses, allowing interested parties to attend between the hours of 5:00 pm and 8:00 pm. Participants were given comment cards to facilitate their feedback. Participants and interested parties not able to attend the meetings were able to submit comments in person, by regular mail and by email. Initial scoping comments were received until May 31, 2015. The public workshops were held at the following locations:

March 2, 2015 at the Lincoln Center, Lincolnton, Georgia  
March 3, 2015 at the McCormick County Middle School, McCormick, South Carolina  
March 5, 2015 at the Columbia County Public Library, Evans, Georgia

Based on comments received in conjunction with management responsibilities, a draft plan was released on August 29, 2016 and remained open for public comment until October 10, 2016.

**7. Shoreline Use Permit and Real Estate License History.** Thurmond Lake is located in a predominantly rural area within the piedmont region of Georgia and South Carolina. Adjacent private residential properties adjoining the reservoir continue to be developed, resulting in an increased demand for private use of public lands and waters. Each year the Corps receives applications for floating facilities, vegetation modifications, utility lines, and other authorized activities. The number of Shoreline Use Permits (permit) and real estate licenses (license) that have been and continue to be issued indicates significant private use of the public resource. Demand for permits and licenses for private use of public lands and waters is expected to continue as additional adjacent lands are developed.

**8. Proprietary Jurisdiction.** No other Federal agency has land ownership or jurisdiction over the administration of the J. Strom Thurmond Lake Shoreline Management Plan. The Corps administers this plan and other applicable Army Regulations on Thurmond Lake. However, Federal, state and local laws are applicable to all Thurmond Lake lands and waters. While the Corps does not have the authority to enforce regulations issued by other Federal, state or local agencies which apply to project lands and waters, the Corps cooperates with these agencies in their respective enforcement responsibilities applicable to project lands and waters.

## 9. Existing Reservoir Land Use.

a. Thurmond Lake contains 78,885 acres above the normal pool elevation of 330' mean sea level (msl). The following acreage is assigned to the various land use allocations:

- Environmentally Sensitive Areas – 5,671 acres
- Flowage Easements – 4,683 acres
- Multiple Resource Management – 54,039 acres
- Mitigation (for Richard B. Russell Project) – 6,877 acres
- Project Operations – 193 acres
- Recreation Facilities – 12,572 acres
- Recreation (Quasi-Public and Private Clubs) – 2,830 acres

b. Land use allocations designated in the project Master Plan provide the basic framework that guides the development, management, and operation of all project resources and facilities. Shorelines adjacent to all reservoir lands have been further classified into shoreline allocations as described below.

**10. Shoreline Allocations.** To meet the objectives of ER 1130-2-406 and the project's Master Plan, the Shoreline Management Plan classifies Thurmond Lake's shoreline into five categories to balance and promote the shoreline's orderly use and development. These allocation categories are described below and are in accordance with the project's Master Plan and Operational Management Plan. Maps that provide detailed information specific to shoreline allocations may be viewed at the Thurmond Lake Office and online [at http://www.tinyurl.com/ThurmondLake-ShorelineMgt](http://www.tinyurl.com/ThurmondLake-ShorelineMgt). Requests for shoreline allocation changes will be considered only as part of a formal update of the Shoreline Management Plan. In accordance with ER 1130-2-406, no changes may be made to shoreline allocations except through the formal plan update process.

a. Limited Development Shoreline (Green). This allocation refers to areas where certain specific private uses may be authorized if a permit and/or license is obtained. These uses include private floating and certain land-based facilities and activities. Applications are reviewed on a first-come, first-serve basis, and are evaluated based on individual merit. Several natural resource management considerations must be satisfied prior to approving or denying a permit and/or license, including density of development, navigation, environment, safety, and site conditions. (18% of Total Shoreline)

b. Protected Shoreline (Yellow). This allocation category includes areas 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; and/or

- to restrict structures from water too shallow for navigation, subject to excessive siltation, erosion, rapid dewatering, or exposure to high wind, wave or currents.

No permits or licenses for new private structures or utilities will be authorized in Protected Shoreline (Yellow) areas. However, permits may be granted for minor modifications to vegetation, such as creating a natural path to the shoreline if the Corps determines the activity will not adversely impact the environmental values or physical characteristics that resulted in the Protected area classification. Improved pathways or walkways will not be authorized in areas classified as protected. (61% of Total Shoreline)

c. Public Recreation Shoreline (Red). These areas are specifically designated in the Project's Master Plan for present or future intensive recreational development. No permits or licenses for private uses are issued in areas with this designation. (15% of Total Shoreline)

d. Special Use Shoreline (Orange). Shoreline in this category consists of lands leased or licensed to quasi-public and other organizations, local and state agencies, and other Federal agencies for specialized uses. Permits and/or licenses for floating facilities and certain land based activities may be issued only to the Grantee in this area designation. (5% of Total Shoreline)

e. Prohibited Access Shoreline (Blue). Areas reserved for project operation are allocated under this classification and include lands located in the proximity of the hydropower structure, operational areas, and water intake structures. (1% of Total Shoreline)

f. Public Recreation and Protected Shoreline allocations must be preserved to maintain a balance between public and private uses and to adequately manage for all authorized project purposes. Some areas may remain undeveloped, but even when left undisturbed, provide considerable value to the project for current and future generations. These values include, but are not limited to timber, wildlife, aesthetics and natural areas for general public uses such as hiking, hunting, fishing or picnicking

g. The shoreline adjacent to Savannah Lakes Village will be administered in accordance with this plan, except as noted in the Memorandum of Agreement between the U.S. Army Corps of Engineers and Cooper Communities, Inc., dated April 25, 1988. This Memorandum of Agreement is available for review at the Thurmond Lake Office.

## **11. Shoreline Tie-Up/Abandonment of Private Property.**

a. Boats may only be moored at a permit holder's authorized facility or commercial marina. Temporary shoreline tie-up is defined as the moorage of private boats along the shoreline for the period of time that the boat is actively used in recreational pursuits. The regulations at 36 C.F.R. § 327.3 require that all vessels

not in actual use be removed from project lands and waters or securely moored at designated facilities or areas. Boaters are encouraged to contact local marinas for extended mooring of boats. Permanent mooring devices, such as posts and/or stationary platforms, will not be authorized.

b. The regulations at 36 C.F.R. § 327.15 prohibits the abandonment, storage, or leaving of unattended personal property of any kind on the land or waters of Thurmond Lake. After a period of 24 hours, unattended personal property shall be presumed to be abandoned and may be impounded and stored at a location designated by the Operations Project Manager. The Operations Project Manager may collect a reasonable impoundment fee before the impounded property is returned to its owner. Violations of 36 C.F.R. § 327.15 could lead to the revocation of a shoreline use permit and/or license. Examples of abandoned property include picnic tables, grills, benches, hammocks, lawn chairs, stored boats, etc.

## **12. Shoreline Use Permit and Real Estate License.**

a. Shoreline use permits are instruments used to authorize private structures or activities affecting lands or waters of Thurmond Lake. All permits are issued on a first-come, first-serve basis in accordance with 36 C.F.R. § 327.19 Part 32 and ER 1130-2-406. Permits will be issued and enforced for private structures in waters of Thurmond Lake. Private structures requiring a permit include docks (i.e., floating “flat T” boat docks, boat docks with slips, and community docks) and mooring buoys. Permits may also be issued for erosion control, vegetative modification and other activities that do not involve disruption to land form, such as natural, unimproved pathways. Procedures for obtaining permits and licenses are found in Exhibit II.

b. Real Estate Licenses are real estate instruments administered by the Corps Real Estate Division. In accordance with ER 405-1-12, a license is required for the installation and maintenance of certain land-based facilities such as improved walkways, electrical lines, potable and non-potable water lines, dock gangwalks and dock anchors. Real Estate licenses are not transferable, are issued to persons having a need to cross or use Corps property for a particular purpose, and are revocable at will.

c. Licenses may be issued concurrently with a permit or as a separate document. When a license is issued concurrently with a permit, revocation of a permit will be required when the associated license for land-based support facilities is revoked. In such instances, all improvements must be removed from public land and the land restored.

d. Application procedures for permits and licenses are described in Exhibit II. Permits and licenses are issued for a term not to exceed five years and have expiration dates. Permits contain general terms and conditions that are uniformly applicable to all permits issued. Permit conditions are contained in Exhibit III. However, unique circumstances may require establishing additional terms or special

conditions that may be contained within an individual permit. Applicants should become familiar with all permit conditions prior to completing the application.

e. The issuance of a permit and/or license does not convey any real property rights or private exclusive use of project lands or waters. The permit holder may take lawful precautions to protect their personal property from theft, vandalism, and trespass. The permit or license holder will in no way impede, limit or restrict the public's right to legitimate and lawful use of project lands and waters. Permits and/or licenses will not be issued for commercial or speculative purposes in order to enhance the selling potential of adjacent private property. Permits and licenses will not be issued to minors.

f. Administrative fees and any rental amounts due (if applicable) will be collected in advance for specified authorized activities before a permit and/or license is issued. A fee schedule published separately is available from the Thurmond Lake Office and is also provided during the application process. Fees and rental amounts are subject to change. Permit and license application fees and rental amounts are non-refundable.

g. Permits and licenses establish a contractual relationship between the government and the permit or license holder. Permits and licenses, therefore, are not assignable or transferable and will automatically be considered revoked upon sale or transfer of the permit or license holder's adjacent private property, sale or transfer of the permit holder's authorized facility, or death of the permit holder and spouse. If ownership of adjacent private property or authorized facilities is sold or transferred, it is recommended that the permit holder or prospective new owner notify the Thurmond Lake Office prior to the completion of the sale or transfer. The new owner must apply for a permit and/or a license within 14 days after completion of the sale or transfer or the holder of the permit and license must remove the facility and restore the area within 14 days from the date of ownership transfer. Assuming the property is eligible for a permit and/or license, upon receipt of a complete permit and/or license application, a new permit and/or license will be issued, the effective date of which will be the first day of the month following the date of transfer on the deed. The new owner will be responsible for all associated permit and license fees from the date specified on their deed. All applications for permits on Thurmond Lake must be approved by the Operations Project Manager or a designated representative. The license application is referred to the Real Estate Contracting Officer for final Determination of Availability, and a license must have been issued prior to beginning any work on project lands or waters. Should an applicant desire to appeal a permit decision, they may do so in writing within 30 days through the Operations Project Manager to the District Commander. Written appeals of license decisions must be submitted through the Operations Project Manager to the Real Estate Contracting Officer.

h. All Shoreline Use Permits and Real Estate Licenses are issued and enforced in accordance with the provisions of 36 C.F.R. § 327 and the general administrative authority of the Secretary respectively. Noncompliance with the terms

and conditions of a permit, general or special, may result in issuance of a Notice of Violation requiring payment of a fine or an appearance before the U.S. Magistrate, termination of the permit and/or license, and/or payment of restitution. Noncompliance may also result in a moratorium, preventing the issuance of a new permit or license until compliance satisfactory to the Operations Project Manager has been achieved.

i. Specified Acts Permits, issued at the discretion of the Operations Project Manager, are required for any activities not specifically addressed in this plan. Violation of the terms and conditions of such permits may also result in the issuance of a Notice of Violation requiring the payment of a fine or appearance before the U.S. Magistrate. Specified Acts Permits may be issued for such activities as removing hazard trees, limited herbicide applications, and planting on public land.

**13. Public Law Protected Structures and Facilities.** Section 1134(d) of the Water Resources and Development Act (WRDA) of 1986 (Public Law 99-662) gives certain facilities a "protected" status by prohibiting the government from requiring the removal of facilities that were properly authorized on or before November 17, 1986, subject to the conditions outlined below. "Protected" items include and are limited to previously authorized docks and appurtenant structures (improved walkways, utility lines, boat ramps, access roads, etc.), which were at their originally authorized locations on or before November 17, 1986.

a. Protected items may be retained providing they are maintained in usable and safe condition; they do not pose a threat to life or property; and the holder of the permit or license is in substantial compliance with the terms of the existing permit or license. However, replacement flotation must meet all current requirements, handrails must be installed as required, and electrical systems must meet the requirements described under the National Electric Code. All public law protected facilities can only be maintained at their originally approved size and shape. Any modifications to the facility, whether authorized or not, will result in loss of public law protection, requiring removal upon change of property ownership. The "protected" status can be revoked when deemed necessary for public purposes, for navigational use, or for flood control. The public law does not exempt the permit or license holder from complying with the conditions of the permit/or license or any permitting requirements.

b. Protected facilities may be repaired and maintained in a safe condition. In the event that a facility protected by Section 1134(d) of WRDA 1986 is altered from its original structure, the facility will lose protection and will enter a grandfathered status. Grandfathered facilities may continue to be authorized to the current permit holder. Upon sale or transfer of ownership of the grandfathered facility, the facility must either be removed from public land or comply with the current shoreline management plan. All other authorized facilities must comply with the requirements of this plan.

**14. Eligibility Requirements.** Applicants for a permit or license must own, in fee simple, private property adjacent to public land that is zoned Limited Development.

Public roads that terminate at public land do not serve as legitimate access to project lands for the purpose of obtaining a permit or license. In situations where a public road is located between adjacent private property and public land, the property owner would be considered an adjacent landowner to public land. Requests for new activities or structures will be reviewed in accordance with the shoreline allocation map.

a. Proof of access must be validated by submitting a copy of the recorded deed and plat for the adjacent private property. Where adjacent property is held in an “undivided interest” such as a club, private community corridor, etc., the applicant will provide proof of membership, proof to act and enter into real estate contracts, and deeded access.

b. Applicants' adjacent private property must have a minimum of 20 feet of common frontage with public land that is zoned Limited Development and the subject property must be of a practical lot design or plat (i.e., extremely shallow lots, known as finger or flag lots, will not qualify for permits or licenses). Finger and flag lots will not qualify for a permit or license even if the 20 foot minimum boundary frontage requirement is met.

c. Applications will not be accepted where access to public land is obtained through an easement granted by a private property owner. Permits and licenses issued for facilities authorized in accordance with previous shoreline management plans will be honored and may continue to be authorized to current and future owners regardless of means of access, provided the facility is in compliance with the terms and conditions of the existing permit and any license.

d. If one structure (house, other dwelling, garage, etc.) or other supporting feature (driveway, swimming pool, porches, etc.) occupies more than one identified piece of property, the properties together will be considered one lot and will meet the criteria for consideration of one permit and license. In the event a structure/feature is built across separate properties for which permits were issued prior to construction of the structure/feature, previous permits, as necessary, will be cancelled and permitted facilities removed so only one permit remains for the subject property.

e. For the purpose of establishing permitted facilities/activities, the area where the applicant's adjacent private property and public property share a common boundary is considered the access area. A 90° projection from this common boundary will be used to determine the common frontage area for placement of permitted facilities and activities (see Exhibit IV). It does not constitute any property rights over public land or prevent the use of the subject area by other adjacent landowners or the public in general. If the 90° projection bisects or crosses other frontage areas, previously permitted areas, or private property before reaching the 330' msl, the property will not qualify for shoreline use permits. Prior to issuance of any new permits and/or licenses, applicants will be required to submit a survey identifying public land and shoreline located within a 90° trajectory from the common property boundary. The survey must be completed by a state licensed surveyor to a

scale of 1 inch equals 100 feet and submitted along with copies of the deeds and plats.

f. Adjacent property owners whose property was eligible under the previous plan, but does not meet the minimum common frontage requirement of 20 feet, will be given a period of one year from the date this plan is implemented during which they may submit an application. After that time, all new applications must comply with the minimum common frontage requirement. Permits issued prior to implementation of this plan or within one year of its enactment will be honored to current and future owners regardless of common frontage width, provided the facility is in compliance with the terms and conditions of the existing permit and license.

g. Permits and licenses will not be issued in areas determined to be wetlands, be environmentally sensitive, or have cultural, historical, or archaeological significance. The location of the activities must not cause a safety hazard to the applicant/user or general public. Specific site requirements for authorized activities and structures are defined in subsequent sections of this plan.

**15. Private Individual Docks** - Docks are permitted for the purpose of mooring recreational vessels. Docks may not be used for human habitation. Mooring houseboats and seaplanes at private docks is not authorized. Houseboats and seaplanes must be moored at a marina facility. Many requirements, including certain physical site characteristics, are considered and must be met prior to a decision regarding the issuance of a permit or license for a private individual floating facility. One private floating facility may be allowed for each separate piece of property that an individual may own, providing all criteria are met regarding permit issuance. "Separate" is defined as properties that have been professionally surveyed, platted by a licensed surveyor and recorded as distinct in the respective county courthouse or tax office. See section 14.d for exceptions where structures are constructed across multiple private properties.

a. Dock Type and Size.

(1) Flat-T Boat Dock. An open-sided structure, with or without a roof and without a boat mooring slip. As a standard, the maximum dimensions of the dock shall not exceed 200 square feet. The minimum sized dock allowable is 100 square feet, with no side being less than 6 feet.

(2) Boat Dock with Slip. A structure with a boat mooring slip(s). The maximum dimensions shall not exceed 720 square feet, including the slip, which is called the "footprint" of the dock (actual water surface areas occupied by the dock structure, including any slip area). Additional roof overhangs of up to 24 inches will be allowed. Staircases overhanging the edge of the bottom deck area of a covered dock will be considered as additional square footage to the overall dock size. Sun decks, jet ski lifts and other structural additions to the dock will be included in the total footprint of the facility. See Exhibit V for examples of dock configurations and calculation of dock size. All dock configurations are subject to approval by the Corps

and must be certified by a licensed professional engineer. Enclosed structures of any kind are not authorized.

b. Private Dock Location. When selecting a private dock site, the dock will be placed in the common frontage area, as identified on a 90° survey plat provided by the applicant. Any section of the common boundary line may be used so long as a perpendicular projection (90°) from the section of the line being used reaches a shoreline location that meets the remaining criteria described below. Dock placement will be determined by a Park Ranger and approved by the Operations Project Manager. This may require an applicant to locate a dock in shallower water versus putting the dock in the most desirable location. Dock placements will not be made that would produce a crossover situation (i.e., an applicant's facility being placed beyond existing neighboring facilities). Dock facilities will not be placed so as to interfere with navigation or create a safety hazard.

c. Spacing. The area considered for a new floating facility must provide a minimum 50-foot buffer between the proposed facility and any existing facility or mooring buoy at 330' msl elevation. This buffer is defined as the distance between the two closest points on adjacent facilities. This spacing is to provide safe navigational access between facilities and provide sufficient area for boat maneuverability, water level fluctuations and public safety. The entire dock and walkway must not extend over one third the distance across a cove, measured from the 330' msl full pool elevation on the shoreline of both sides. The length of any dock, including any moored vessel, must not interfere with navigation at any time. In locations where two or more docks could be placed in the same general area but all docks could not meet the spacing requirement, (e.g., small coves or narrow lots), applications will be reviewed on a first-come, first-serve basis.

d. Water Depth. Low water conditions and potential hazards may exist in some areas at 330' msl full pool elevation, as well as during normal lake fluctuations. If the proposed floating facility would have sufficient water depth to be serviceable for at least a part of the recreation season, an application will be accepted for review. If a permit for a dock is issued at such a location, a statement will be added under "Special Conditions" to indicate that the applicant is aware of the shallow water conditions at the time of application. If necessary, during periods of low water, individuals may "chase water" in an effort to keep their docks afloat, provided such action does not prevent access to existing docks or coves, or create safety hazards (i.e., crowding, crossing over other docks, etc.). When lake levels return to normal, individuals are responsible for returning their docks to the permitted locations.

**16. Community Docks** - In an effort to reduce impacts to public land, community docks will be encouraged as the method of shoreline access and boat moorage on Thurmond Lake. Community docks focus shoreline facilities in the most desirable location. A community dock is a structure with two or more boat mooring slips, may include a roof, and is shared by more than one property owner.

a. New Subdivisions. Only community docks will be authorized in all new county certified, platted subdivisions approved after implementation of this plan. These developments must establish a homeowners association or other governing entity that will work directly with the Thurmond Lake Office on all permit and license actions. All community dock placements will be pre-determined within specific limited development allocation shoreline locations adjacent to the proposed development. The number of moorages/slips allowed on the community docks will be determined upon review of the submitted subdivision plat. Typically a maximum of 2 moorages/slips for every 82 feet of limited development zoned shoreline will be authorized. Moorage/slip availability within the community docks will be determined by the homeowners association. The homeowners association will notify the Thurmond Lake Office of which subdivision lots they deem feasible for moorage. Community dock access corridors and vehicle parking areas located on private property must be established by the developer and identified as such on the final county certified plat. Community dock slips will not be available to individuals living outside the designated subdivision.

b. Existing Subdivisions. Applications for community docks will only be accepted provided the number of slips does not exceed the number of private individual docks that would be allowed in a given area. In established developments, one slip will be provided for each dockable lot in the designated area identified for inclusion on the community dock. The number of slips for community docks will be determined based on the amount of dockable boundary within the development. Generally, one slip will be planned for every 70 feet (a minimum 20-foot dock width plus 50-foot spacing required for a private dock) of dockable boundary line in the designated area identified for inclusion on the community dock.

c. Community Dock Location. When selecting a community dock site, the dock will first be placed in front of the common boundary line frontage of the designated agent or first member of the community dock association, as determined by the Park Ranger and approved by the Operations Project Manager. If a community corridor is being used as an access point by an adjacent community, only a community dock may be authorized and the community dock must be placed within 200 feet of the community access point along the boundary line.

d. Spacing. The area considered for a new floating facility must provide a minimum 50-foot buffer between the proposed facility and any existing facility or mooring buoy at 330' msl elevation. This buffer is defined as the distance between the two closest points on adjacent facilities. This spacing is to provide safe navigational access between facilities and provide sufficient area for boat maneuverability, water level fluctuations and public safety. The entire dock and walkway must not extend over one third the distance across a cove, measured from the 330' msl elevation on the shoreline of both sides. The length of any dock, including any moored vessel, must not interfere with navigation at any time.

e. Designs for community docks must show the multiple slip configuration and the maximum number of slips must be identified when the initial permit is issued.

Installation may be completed in phases. All new community docks, however, must have a minimum of two slips when initially installed.

f. Flat-T and one-slip community docks authorized prior to implementation of this plan will continue to be authorized as prior commitments. The combined area of the first two slips cannot exceed 1160 square feet with each additional slip authorized up to 454 square feet. Double slips, with or without a narrow slip divider, will be considered on new community docks in order to reduce the overall size of the dock structure. Double slips, however, will count as two moorages. Roof overhangs of 24 inches may be approved. Dock center walkways must be between 4 feet and 6 feet wide. Dock slip fingers shall not be less than four feet wide. All slips and associated roofs must be of a uniform structure and materials. Mooring buoys associated with a community dock will be considered as a slip and included in the maximum number of authorized slips.

g. Community dock members must form an association and be incorporated as a legal entity. A community dock agreement must be completed, signed by the designated agent, submitted with the initial permit application and re-submitted upon each permit reissuance. The names and addresses of community dock members must also be submitted with the application. Community dock permits will be issued to the designated agent. Community dock members must allow other individuals to add on to the dock until the maximum size is reached. One dock slip per separate piece of property may be issued. An example of a community dock agreement with defined requirements is available in Exhibit X.

h. Renting of slips on a community dock is prohibited.

## **17. Docks in Private Clubs**

a. Private club sites may obtain permits for individual and community docks. The adjacent private club site must be in common ownership and the organization must be incorporated and a legal entity. All permits will be issued to the organization president or designated agent, and will be considered "club or association-permitted" facilities. Permits for floating facilities will not be issued to individual club members. In the event that a private club should dissolve its common ownership and establish a private subdivision, all permit requirements and conditions for private, individual docks will apply to the individual adjacent property owners.

b. The number of individual docks or community dock slips in private club sites will be determined based on the amount of dockable boundary within the club site. Generally, one dock or community dock slip will be authorized for every 70 feet (a minimum 20-foot dock width plus 50-foot spacing required for a private dock) of dockable boundary line in the designated area identified for inclusion of the individual or community dock.

**18. Courtesy Docks.** New permits for courtesy docks to be used for temporary mooring adjacent to community access points will not be approved. Permits for

courtesy docks approved under a prior Shoreline Management Plan may be re-issued so long as the dock is maintained in a safe condition. In the event a courtesy dock becomes dilapidated and unsafe, the permit will not be re-issued and the dock must be removed upon permit expiration.

## **19. Facility Construction**

a. Dock Gangwalks. Unless otherwise approved, gangwalks shall not be more than six feet wide or less than four feet wide. If site conditions permit and safety considerations allow, all private individual floating facilities may be authorized a 60-foot maximum gangwalk. Community facilities may be authorized an 80-foot maximum gangwalk. The maximum length may be allowed, provided that: the total structure (dock and gangwalk, combined) will not extend beyond 1/3 the width of the cove measured from the 330' msl elevation; the structure will not be closer than 50 feet to an existing floating facility; the structure will not extend into a marked navigational channel, cause a navigational hazard (blind curve, etc.), or block access to a cove; and the total structure of a private individual dock will not exceed 100 feet in length including gangwalk and gangwalk approach. A gangwalk approach, maximum length of 10 feet, may be authorized to allow safe access up to the gangwalk and will be considered as part of the maximum gangwalk length. The type of construction (normally a boardwalk) will be reviewed on a case-by-case basis.

### **b. Structural Support System and Materials.**

(1) The permit holder is responsible for ensuring that the dock is designed, constructed and maintained to ensure safety and structural integrity. The permit holder must submit plans certified by a state licensed professional engineer for all new docks and modifications to existing docks, including gangwalks and accessory items such as winch operated boat lifts, etc., to ensure structural safety. Plans are to be 8 1/2" x 11" drawings showing the dimensions of the proposed structure and anchor system, construction materials and flotation type and amount. If using an approved local dock builder, the drawing must reference the dock builder's master plan on file at the Thurmond Lake Office. All installed docks with a second level must display a plate identifying the maximum rated weight capacity of the structure, including the weight capacity of the second level.

(2) Any material used in the construction of the dock facility must be noted on the plans and approved by the Corps before construction begins. Structural materials including decking, nails, bolts, nuts, washers, etc., will be a type designed for outdoor use. Construction materials commonly used for joist, rafters, studding and decking are wood and/or metal. All wood construction shall be either pressure treated or decay resistant. Creosote or penta treated wood is not acceptable. Marine plywood may be used for decking. Metal decking must have a non-slip tread. All hardware (nails, bolts, screws, etc.) must be galvanized or stainless steel. All nails, bolts or screws must securely fasten supports and decking to maintain structural stability. Non-rigid structures and floating lift structures outside of the slip are not approved and will not be authorized. Docks constructed of modular chambers or

cells, with no superstructure, may be approved without engineer drawings on a case-by-case basis. Roofs and upper decks will not be approved for these type docks.

(3) Unsafe dock conditions include, but are not limited to, protruding nails, bolts or screws; partially decayed or slick materials; ripped, jagged, sharp, pointed and splintered materials; loose or missing supports and decking; and loss of structural strength due to rust or broken joints. These and other unsafe conditions require immediate correction in accordance with county or state building standards.

(4) No deviation or changes from approved plans will be allowed without prior written approval from the Operations Project Manager or authorized representative. Modification of approved plans will require certification by a licensed professional engineer. All dock installations and approved modifications must be complete within one year of approval and permit issuance. In the event that dock installations and/or modifications are not completed within this time, previously issued permits and approvals will be null and void. Should partial dock structures be in place and not completed within one year, dock owners must remove the entire structure and all construction materials from government property.

c. Flotation Materials.

(1) The flotation material for all docks shall be fabricated of materials manufactured for marine use. The float and its flotation material shall be 100% warranted for a minimum of eight years against sinking, becoming waterlogged, cracking, peeling, fragmenting or losing beads. All floats shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. All floats and the flotation material used in them shall be fire resistant. The use of new or recycled plastic or metal drums or non-compartmentalized air containers for encasement or floats is prohibited.

(2) Flotation must be repaired or replaced when it is poorly affixed to the substructure; when the substructure or any fabricated portion of the floating facility is in contact with the water surface; when flotation is inadequate to support the structure (meaning that less than one third the thickness of the flotation is above the water's surface); when flotation sections are missing; when damaged by chemicals, such as gasoline; or when any condition renders the flotation ineffective. Flotation billets extending outside the edges of the dock will be considered as part of the overall square footage of the structure. New technologies will be considered on a case-by-case basis and approved by the Thurmond Lake Operations Project Manager.

d. Dock Anchorage. Docks must be physically attached to the shore with a gangwalk and cables. Cables must be stainless steel or galvanized. Deadman anchors (metal or wooden post or screw augers) are the preferred method for securing anchor cables. Cables must be attached to secure anchors above the 330' msl elevation and must not be attached to trees. Dock anchor plans are available from the Thurmond Lake Office. During times of low water, temporary

auger-type anchor pins below 330' msl are allowed. Dock owners are responsible for removing temporary anchor pins as lake levels return to normal. A small concrete anchor pad may be constructed above the 330' msl elevation to securely anchor the gangwalk to the shoreline. Anchor pads may be no larger than 3 feet deep and may extend no more than 1 foot on either side of the gangwalk.

e. Safety Reflectors. Dock owners are encouraged to install and maintain on the dock at least four reflectors that are three inches by three inches in size and international orange, red or white. Reflectors should be placed on each side of the dock that is visible to boat traffic.

f. Handrails. Due to safety considerations, existing and new walkways four feet or higher above the ground or over water shall have a standard 39-42 inch high continuous and solid rigid handrail with a rigid intermediate rail at 19-22 inches high on both sides of the walkway/steps. Handrails are required on all steps. Vertical posts (spindles) can be used in place of mid-rails if they are 12 inches or less apart.

g. Boat Dock Roofs and Sundecks. Roofs may be gabled or flat and may overhang the dock up to 24 inches. Construction materials may be metal. If a second level sundeck is constructed, it must be encircled on the outer edge with a handrail that complies with the requirements above. Seating encircling a second level sundeck must have a back rest that is a minimum of 36 inches above the deck. No second level sundecks will be authorized on community docks with greater than 4 slips. Facilities may have a maximum of two levels. No third level decks will be authorized. All new dock roofs must be a neutral earth tone color, such as white, dark green, black, tan, brown or grey. No new permanent roofs will be authorized on the second level of any facilities. Portable shade tents may be used on the second level of a dock, provided they are temporary and do not become part of the permanent dock structure (i.e., permanently attached to the upper deck). All existing second story roofs will be approved until such time that the dock is replaced, requires major repairs or becomes unsafe.

h. Boat Hoists. Boat hoists are allowed inside slips provided that the hoist lifts its load independently with no additional stress to the dock or documentation is provided by a state certified professional engineer that the dock and hoist mechanism are specifically designed to support the additional weight of the specific boat to be hoisted. Hoists previously certified will not require re-certification upon expiration of the permit unless the hoist mechanism or the support structure has been modified, replaced or is in need of major repair. The applicant will be required to submit a statement verifying the initial certification and that no changes or alterations have been made.

i. Personal Watercraft Hoists. Attachments such as personal watercraft hoists may be secured to a boat dock, but will be counted as part of the square footage of the dock structure since these type of facilities are permanent structures and increase the "footprint" (actual water surface area occupied by the dock structure, including slip area) of the dock. Personal watercraft hoists that are secured to the

landward side of the dock structure (dead space) or within the slip of a dock will not be counted as part of the square footage.

j. Mooring Buoys. Permitting of mooring buoys is subject to the same shoreline allocations and criteria as other private floating facilities. New permits for mooring buoys will be issued only to established sailing clubs. Existing permits to private individuals for mooring buoys will be grandfathered and may be reissued to the current owner only. Mooring buoys must meet the requirements of the U.S. Coast Guard's U.S. Aids to Navigation System (<http://www.uscgboating.org/ATON>). They must be white with a blue horizontal band 4 to 6 inches wide and stand a minimum of 18 inches above the water line to be readily visible when a boat is absent. Only buoys manufactured for this purpose will be permitted. Mooring buoys must be anchored securely to prevent unnecessary drift.

k. Slides, Diving Platforms, Swim Floats and Diving Boards. Due to the lake level fluctuations during periods of drought and normal winter drawdown, slides, diving platforms, swim floats and diving boards will not be permitted because of safety concerns. Existing permits for these items will be grandfathered and may be reissued to the current owner only. Permits for these will not be issued to subsequent owners upon sale or transfer of ownership of permit holder's property.

l. Dock Storage Lockers. Enclosed storage will not exceed a maximum floor area of 24 square feet in size and must be fastened securely to the dock. The maximum height will be 48 inches on an uncovered dock and to the roof-line on a covered dock. No individual dimension will exceed eight feet. The storage locker(s) are not to interfere with walking space, nor are they to be used for the purpose of creating an enclosed boat dock. Dock storage boxes are authorized for storage of water related recreation equipment. Batteries may be stored in an enclosed dock storage locker as long as it is stored separately from other authorized equipment. Boat docks are not to be used for general storage and no flammable liquids may be stored.

m. Dock Furniture, Household Items, etc. Although dock facilities are authorized for the purpose of providing moorage for vessels, it is recognized that docks may be used for other leisure activities where furniture is desired. Permanently mounted chairs and/or benches are allowed on boat docks; however, such items may not impede safe access on the structure. Indoor furniture or household type items that denote habitation (such as, but not limited to, couches, stoves, sinks and refrigerators) are prohibited. Carpet and other materials covering decking and obscuring visual inspection of deck integrity are not approved.

n. Time Limits. Approved docks must be constructed and installed at the approved location within one year (12 months) of permit issuance and maintained in place during the permit term, except when chasing water due to drought conditions. If the dock is not installed within one year, the authorization for the dock may be revoked and any partial construction must be removed.

o. **Designs for Persons with Permanent Disabilities.** Special deviations from the design requirements for dock structures, walkways, ramps and steps, or limited access to the shoreline may be authorized to accommodate disabled permit holders or members of the permit holder's household. To qualify for special consideration, the individual must provide justifying documentation of the disability and need for accommodation from either a medical provider or Federal or state agency. Every effort will be made to grant special deviations to those who meet the eligibility requirements. However, site conditions and other circumstances may limit accommodation of every application.

**20. Underbrushing.** Shoreline vegetation is essential in protecting water quality and the natural environment of Thurmond Lake. Adjacent landowners are encouraged to assist the Corps in maintaining and protecting the natural environment and resources of the project. To be eligible for an underbrushing permit, the requirements described in this plan must be met.

a. **Authorization.** As with any activity on public property, vegetative modification, whether it be underbrushing or planting, must be authorized and an approved permit received by the applicant prior to commencement of work. Initiation of the permit process begins with an on-site meeting with a Park Ranger to identify where underbrushing can be authorized and to develop an underbrushing plan.

b. The purpose of underbrushing is to provide safe access to the shoreline with minimal alteration to the existing vegetation. Permits are not issued to create vistas, for speculative future development or beautification. Underbrushing is defined as selective removal of woodland understory vegetation (shrubs, brush, vines, briars, etc.) or small trees 6 inches or less in diameter, measured in all directions at the ground level, and periodic maintenance removal of re-growth.

c. No new or additional underbrush areas will be authorized for private clubs. Permits for underbrush areas authorized in accordance with the previous shoreline management plan will be honored and may be reissued. If a private club dissolves and subdivides into a residential development, each separate property owner must meet the access requirements to obtain an underbrushing permit, must apply for a permit, and will be required to comply with the requirements identified in this plan.

d. **Size of Area.** The underbrush area is limited to a maximum of 50% of the applicant's adjacent property frontage, not to exceed a 150-foot width. In all cases, the distance to the shoreline must be less than 600 feet. The shoreline is defined at the 330' msl full pool elevation. Lands eligible for underbrushing are limited to only those portions of adjacent property frontage that are less than 600 feet from the shoreline. Any portion of an applicant's adjacent property frontage that is equal to or greater than the maximum 600 feet distance will not be eligible for underbrushing. All areas outside of the approved underbrush area must remain in a natural condition. Applicants for new underbrushing permits must submit a survey by a state-licensed

surveyor identifying that portion of the common boundary line and adjacent property that is within 600 feet of the shoreline and, therefore, is eligible for an underbrushing permit.

e. **Vegetation Removal.** Underbrushing is limited to vegetation measuring less than 6 inches in diameter at the ground level. Under no circumstances will vegetation over 6 inches in diameter, measured in any direction at ground level, or native ornamental, flowering trees and shrubs be removed regardless of size. Native ornamentals include, but are not limited to, dogwood, redbud, holly, wild azalea, rhododendron, and magnolia. A complete list of native ornamentals, flowering trees and shrubs is available from the Thurmond Lake Office and the respective state cooperative extension services.

f. **Tree Spacing.** Once underbrushing is completed, the area should still be “wooded”, with trees established to a maximum spacing of 15 feet on center. In areas that do not meet this spacing, a variety of young, native hardwood seedlings and saplings will be selected, established by planting, and/or allowed to become established through natural regeneration in order to achieve and maintain this spacing.

g. **Tree Limbing.** Limbs on remaining trees and vegetation may be cut even with the trunk up to one third the height of the tree and/or plant, not to exceed 18 feet.

h. **Tools.** Permitted underbrushing may be accomplished using tools that allow the operator to selectively remove vegetation approved by the permit. Acceptable tools include power hand tools, chain saws and weed trimmers. Heavy equipment, such as tractors, bush hogs, and bulldozers, are prohibited.

i. **Fire Protection.** Underbrushing may be authorized up to a 30-foot radius from a dwelling or substantial structure located on private property to provide a reasonable degree of fire safety protection.

j. **Burning.** In general, open burning on public land is prohibited. However, individuals with a valid underbrushing permit may conduct open burning on public land, provided burning occurs only within the exposed lake bottom below 330' msl. No additional approval other than an underbrushing permit from the Thurmond Lake Office is required. Furthermore, burning is limited to only those materials removed from public land as part of underbrushing. Any burning activities must be coordinated with the local fire agency and be in strict accordance with all applicable state and local laws.

k. **Path/Walkway.** To provide safe access to and from the lake, a 4-foot wide natural meandering path extending from private property to the shoreline may be incorporated within the defined underbrushing area. Where the point of access is 600 feet or more to the shoreline, only a path will be permitted.

**21. Vegetative Planting.** Adjacent property owners are encouraged to assist in maintaining the natural wooded shoreline appearance of the Thurmond Lake. Permit holders may plant native species of trees and shrubs with prior approval of a planting plan, provided the plantings are located in a random fashion, are native to the site, and positively enhance the natural environment. Only native species may be planted on public land. Flower or vegetable gardens are not authorized. A list of the native vegetation that is approved for planting is available from the Thurmond Lake Office and the website: <http://www.tinyurl.com/ThurmondLake-ShorelineMGT>.

**22. Regeneration of Open Areas.** Open areas are defined as those areas of public land where a natural mixture of native plants does not exist at a maximum spacing of 15 feet on center. Most of these open areas are established grassed areas, which were permitted in the past; however, some may also be areas that have slowly been stripped of vegetation through excessive underbrushing. Grassed and mowed areas are no longer authorized. In cooperation with the permit holder, a plan will be developed to replant the area with a mixture of native trees and shrubs, or to allow the area to undergo natural regeneration (no underbrushing allowed with the exception of a 4-foot wide path).

**23. Land-based Facilities.** Proposed land-based facilities will be considered on public property between the common boundary, which is shared by the government and the adjacent landowner, and the shoreline in limited development areas. Crossover of adjacent neighboring facilities, including electrical lines, water lines and improved walkways, will not be approved. Cross-over situations occur when the route of a land-based facility crosses the path of an existing neighboring facility.

**24. Electrical Service.** Due to advances in solar power technology, Thurmond Lake will implement a pilot program requiring all new electrical service to be a low voltage solar power source located solely on the dock. No new licenses will be issued for power lines. Licenses for existing electrical service will continue to be issued to current and future owners, provided the facility is in compliance with all license conditions. Exceptions to solar power may be granted in situations where solar power is not feasible (i.e., excessively shady sites). These instances will be reviewed on a case-by-case basis, and a license for low voltage pathway lights may be authorized. It is encouraged to utilize a solar power option on community docks larger than two (2) slips but is not required. Installation of solar power on a dock does not require a license, but must be included in the approved permit plans. Solar powered lights installed along a pathway must be placed under license.

a. In accordance with ER 1130-2-406, all electrical wiring must meet the requirements of the current National Electrical Code, county ordinances and this plan. For replacement or modification of existing installations, issuance of a new license to a new owner, or reissuance of an existing license, wiring plans and electrical service must be certified by a state-licensed electrician on the Electrical Certification Form in Exhibit VI. An electrician or electrical engineer licensed in the respective state must certify that the electrical installation is ground-fault protected and material, workmanship and installation methods meet or exceed the current National Electrical

Code Standards and Corps requirements for this type location. Any required local or state permits must be obtained prior to installation of electrical wiring, including temporary wiring installations.

b. The Corps requires that a ground-fault circuit interrupter (GFCI) protect all outdoor electrical receptacles on public property. In general, only one light pole (10-foot minimum to 15-foot maximum height) may be authorized for placement at or above elevation 331' msl. However, additional light poles or line lighting may be authorized on existing electrical lines to provide access along a designated pathway or walkway. Only the minimum lighting required for safe access may be authorized. If wood, the pole must be treated for ground contact. Other commercial products designed or suitable for outside light pole uses may be authorized. A ground rod must be installed at the base of each light or power pole. To reduce the risk of inundation, all electrical outlets mounted to poles or pedestals must be mounted at or above 335' msl elevation.

c. For use of existing electric service on floating facilities at Thurmond Lake, all wiring on docks and gangwalks must be in approved electrical conduit; wiring leading to the dock must be attached to the gangwalk. A service disconnect shall be installed on a service pole or light pole adjoining the dock to de-energize the dock in the event of an emergency. All GFCIs, receptacles, and light switches on the dock must be a minimum of 3 feet above the deck. Service disconnects installed on the light pole or service pole shall be a minimum of 5 feet above ground level.

d. Temporary wiring installations of existing electric lines to allow boat docks to be relocated during periods of low water must be installed by a licensed electrician. Plans must be submitted to the Thurmond Lake Office for approval prior to installation.

e. In order to promote safety, reduce skyglow and light pollution, and protect the natural environment, all lights must be shielded and directed downward so that residents and boaters are not impacted by glare from bright lights. Automatic shut-off controls such as sensors, timers and motion detectors are encouraged to turn off lights and reduce impact when not needed.

**25. Potable Water Lines.** Potable water lines originating from private property may be authorized. Only one above ground spigot may be authorized on public land. An additional spigot may be installed on the dock. All water lines must be attached to the dock and placed underground once above the 330' msl elevation. No restroom, shower, sink or irrigation fixtures will be authorized on public property or floating facilities.

**26. Non-Potable Water Lines.**

a. Landowners adjacent to the lake are advised that Minor Water Withdrawals for use beyond the dock area are under further review and may ultimately not be allowed in the future. Landowners adjacent to the lake considering any new

investment to withdraw water from the lake are cautioned they are proceeding at their own risk until the review is concluded and a policy is determined. If the review result in a change to the current Minor Water Withdrawal policy, a minor revision to this plan will be made at that time to incorporate the change.

b. Only the intake pipe and associated piping may be located on public property. All pumps and related power service must be located on private property or floating facility. Maximum size of pipe will be 1.5 inches in diameter. Submersible pumps are prohibited at Thurmond Lake and will not be authorized. The intake structure head on non-potable pumps may not be located lower than the 324' msl elevation so as not to impede navigation. When the pipe any exposed portion will be buried. Pumps for non-consumptive use of lake water around the immediate dock area are authorized and will not require a license, provided water is not pumped upland away from the dock. Cleaning vessels and docks with soaps and solvents is not permitted.

## **27. Improved Paths/Walkways.**

a. To provide safe access to and from the lake, a four-foot wide meandering path extending from private property to the shoreline may be incorporated within the defined underbrush area if authorized in a permit. Where the point of access is 600 feet or more to the shoreline, only a path is permitted. The four-foot wide meandering path must be left in a natural and unaltered/undisturbed state wherever possible. Pathways will follow a meandering route that conforms to the topography as much as possible to help prevent erosion, avoid the need for removal of vegetation and prevent the construction of bridges. If surface treatment or improvements are necessary to allow for better access across hazardous areas or to prevent erosion, a license may be issued for an improved path or walkway. Only wood chips, mulch, or pine straw can be used as surfacing on improved pathways. If erosion is likely due to the slope, landscaping timbers also may be used to prevent the washing away of the surface treatment material but on the downhill side only. Delineation of the entire pathway is not authorized.

b. If the slope prohibits safe access by means of a natural path, then steps may be authorized. All steps must be constructed of pressure treated material at least seven inches by seven inches in size without borders and cannot exceed four feet in width. Every effort must be made to prevent continuous running steps. Steps cannot be elevated to create a boardwalk. All steps must be constructed at contour or ground level. If back filling is required, the surface must be wood chips or mulch. Stepping stones not to exceed 18 inches square are permissible. Stepping stones may be placed behind the pressure treated step (for a firmer base) or without a pressure treated step. If there is no alternative to avoid a ditch or low area, a foot bridge may be authorized. The length will be restricted to only what is needed to traverse the hazardous area. Any foot bridge greater than four feet above the ground must have an approved handrail and midrail (see paragraph 19.f. above for details).

**28. Roads, Ramps, Turnarounds, and Other Facilities.** The construction of new roads, ramps, turnarounds, land based boathouses, marine ways, fixed gangwalks, pump houses, picnic shelters, beaches and patios is not authorized. Existing licenses for these items are allowed to remain and be reissued provided the facilities are maintained in a safe and usable condition. If the facility becomes unsafe or poses a threat to life or property, it must be removed. Existing roads, ramps and turnarounds may be repaired to the original dimensions with the same material as was originally permitted. New property owners may also obtain a license for these facilities provided the existing facilities are protected by public law as outlined and described in paragraph 13, **Public Law Protected Structures and Facilities**, of this plan. If not covered and protected by public law as described, a new license will not be issued to a subsequent owner upon sale or transfer of the license holder's adjacent property, and the existing facilities must be removed. Vehicular traffic not authorized by an existing license is also prohibited.

**29. Other Activities.** Other utilities, such as telephone lines and intercom lines, may be authorized in a license, except in Protected Allocation Areas. No Licenses will be issued for private gasoline or diesel fuel line rights-of-way.

**30. Facility Maintenance.** All authorized facilities, whether land or water based, must be used and maintained by the permit and/or license holder in a safe condition at all times. Unsafe conditions shall be corrected immediately. If deficiencies are not corrected, the owner will be required to remove the facility at his/her expense.

a. **Minor Repairs.** Minor repairs do not require replacement or removal of the facility from the project for repairs. Using the facility without maintenance should not be life threatening and the facility can be repaired with minimal effort.

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

**31. Bank Stabilization/Dredging.** Bank stabilization is defined as minor shoreline protection necessary to prevent erosion by using vegetative planting techniques or installing rip-rap material. Retaining walls will no longer be approved. The Operations Project Manager or authorized representative may authorize bank stabilization projects under a Regional General Permit (RGP) or Programmatic General Permit (PGP), as applicable (see Exhibit VII). Plans for bank stabilization must be submitted and approved prior to beginning work. Permits to remove accumulated silt and sediment may also be authorized under a RGP or PGP during periods of low water. Wavebreaks, breakwaters and wave attenuators may be permitted under Section 404 of the Clean Water Act for large, marine-type docks in private clubs only. All bank stabilization will be noted as erosion control on the shoreline use permit.

### **32. Vehicles on Government Property**

a. Golf Carts and Lawn Tractors. Only golf carts and lawn tractors may be used on designated pathways or walkways solely to provide transportation to and from authorized facilities. Approved vehicles may be used only on an individual's designated, permitted pathway on government property. Golf carts must have smooth tires and may not be operated on government property with off-road tires.

b. All other vehicles. The use of motor vehicles, including but not limited to cars, vans, trucks, motorcycles and all-terrain vehicles, along the shoreline is prohibited. These vehicles may only be used on designated roadways already approved by a license for the sole purpose of transportation to and from authorized facilities. All-terrain vehicles (ATVs) are strictly prohibited on government property; their use may result in violations and associated fines under 36 C.F.R. § 327.

**33. Specified Acts Permits.** The Specified Acts Permit is a non-fee, short-term permit issued for a specified one-time act for minor activities on project lands/waters. The permit will detail the authorized work including methods to be employed, types of equipment to be used, and time frames for completing the authorized work and restoring public land. Drawings, plans, or photographs may be required to process the permit. Specified Acts Permits are not issued for activities that will damage, destroy, or significantly alter public lands or features. Each request will be reviewed based on environmental and other laws, regulations, and policies.

a. Hazardous Trees. Dead trees play an important role within the natural element by providing habitat for wildlife. However, if the location of a dead tree endangers life or property, a Specified Acts Permit may be issued to the adjacent landowner to cut and/or remove the tree from public property.

b. Herbicide Applications. A Specified Acts Permit for herbicide application may be issued to adjacent property owners with a shoreline use permit or license for the purposes of treating poisonous plants with general use herbicides only. To treat hydrilla and other nuisance aquatic plants, a separate permit must be obtained from the Corps' Thurmond Lake, Forest, Fish and Wildlife Section. Only state-licensed applicators may spray approved chemicals on government lands and waters to treat nuisance aquatic plants.

### **34. Boundary Line Management.**

a. The boundary line does not uniformly follow a specific contour, but consists of straight lines between surveyed points. It is maintained in accordance with standard survey techniques currently used by licensed surveyors. The boundary line is marked by placement of monuments in the ground and "witnessed" by orange paint on trees. The witness trees marked in orange do not represent the exact boundary line, but simply indicate that the line is nearby. Boundary line markings are illustrated in the brochure, *"Let's Draw the Line at Thurmond Lake, Boundary Line Markings and Proper Uses of Public Land"*. Since the boundary line is a common boundary

between the Corps and the adjacent landowner, both parties assume responsibility for the line.

b. The Corps does not assume responsibility for identifying the line upon request. The Corps encourages and recommends that private surveys be obtained by using a licensed surveyor prior to purchase of property adjacent to government land. If needed, the Corps will provide information concerning the boundary line to assist with any surveys. If discrepancies with the boundary line are identified, contact the Thurmond Lake Office to pursue resolution. The alteration of any kind of monuments or other government boundary line markings is a violation of 36 C.F.R. § 327.14(a).

**35. Boundary Line Encroachment.** Other than pedestrian access or general public recreation activities, any activity on public property not covered by a permit, license, or Specified Acts Permit will be considered an encroachment or trespass of public property and a violation of 36 C.F.R. § 327. Examples of trespass include, but are not limited to: motorized vehicle operation, burning, tree cutting or the placement of debris or fill dirt. An encroachment pertains to any personal item, structure or improvement built, installed or established on land owned and managed by the United States. An encroachment has occurred where the item, structure or improvement extends over, across, in or upon lands which the Government owns and the structure or improvement has not been approved.

a. Examples of encroachment include unauthorized personal property that is mobile, moveable, and not attached to a structure, such as swings, grills, picnic tables, benches, gardens, hammocks, parked vehicles, firewood, lumber, etc. However, encroachments can also include items which are fixed or attached to real property, such as any portion of a residence, shed, barn or building. Other examples include septic tanks, drain fields, decks, porches, fireplaces, constructed grills and storage buildings. Adjacent landowners are required to adhere to all state and local government setbacks for buildings and other structures. Deed restrictions and local government ordinances should be checked to determine if setback requirements exist.

b. Initial permits and licenses will not be considered until identified encroachments are resolved. The reissuance of existing permits and licenses to the same and/or new owner will be delayed and/or denied pending an encroachment resolution plan and timeline. In some cases, permits or licenses may be issued for terms less than 5 years in an effort to provide time for landowners to correct encroachments. If encroachments are not corrected within the designated time, the permit and/or license will not be re-issued and all previously authorized facilities will have to be removed from public land. If the encroachment is resolved within the designated term, the permit and/or license will be re-issued for a full 5-year term, but processing and permit or license fees will apply. When all efforts at the Thurmond Lake Office level fail to secure voluntary removal of an encroachment by the encroaching party, the case will be submitted to Savannah District's Real Estate Division for possible referral by Office of Counsel to the U.S. Attorney for civil action.

**36. Shoreline Management Violations.** Rules and regulations governing the Shoreline Management Program are enforced through 36 C.F.R. § 327. Violations will require corrective action and may result in revocation or modification of permit and license privileges, payment of collateral forfeiture, mandatory appearance before a U.S. Magistrate or stronger enforcement action, such as termination of the permit and license and/or payment of restitution. Generally, violations are noted and addressed when facilities and activities are inspected prior to either expiration of an existing permit or license or issuance of a new permit or license to a new owner. However, all authorized facilities and activities are subject to inspection by authorized Corps representatives at any time. The permit or license holder will be notified of any deficiencies and provided with a schedule for correction of the deficiencies. No deviation, or change, from approved dock plans will be allowed without prior written approval of the Operations Project Manager or authorized representative.

**37. Natural Resources Management.** Natural resources management has been an integral part of the Thurmond Lake since its completion in 1954. The goal of the natural resources program is to ensure that resources are sustained and enhanced for future generations. For more information on natural resources management programs, recreational opportunities, and rare, threatened, and endangered species in the region, contact the Thurmond Lake Office or visit [www.tinyurl.com/ThurmondLake](http://www.tinyurl.com/ThurmondLake).

a. Wildlife Management. The goal of the Thurmond Lake wildlife management program is to maintain habitat diversity, improve habitat for a variety of game and non-game species, encourage and accommodate public use and appreciation of wildlife resources, and in the case of rare, threatened, or endangered species, to provide optimum habitat conditions and/or protection. The Corps manages over 29,000 acres of project lands for wildlife. Another 27,524 acres of project lands have been leased to the Georgia and South Carolina Departments of Natural Resources for wildlife management.

b. Fisheries Management. The goal of the Thurmond Lake fisheries management program is to protect, conserve and restore aquatic ecosystems, to assist partners in improving the quality and quantity of fishing opportunities, and to encourage and accommodate public use and appreciation of the project's fisheries resources. Major emphasis is placed on maintaining lake conditions favorable for fish spawning and survival including minimizing lake level fluctuations during spring spawning and providing structure for cover in the lake. The Georgia and South Carolina Departments of Natural Resources, on average, stock more than 220,000 striped bass and 610,000 hybrid bass annually. In addition, they conduct fisheries population studies, provide boat launching areas, fishing piers and bank fishing areas, and monitor water quality.

c. Forest Management. The goal of the Thurmond Lake forest management program is to sustain and enhance the health, vigor, and diversity of the project's forest to support recreation and wildlife management programs, protect and improve water quality, facilitate and improve public use of public property, and provide sustained yield of quality forest products. Accepted forest management practices

including insect and disease suppression, timber harvesting, prescribed burns, chemical and mechanical site preparation, and regeneration are methods employed to assure the continuation of the resource

d. Aquatic Plant Management. The goal of the aquatic plant management program is to reduce impacts to authorized project purposes caused by nuisance levels of aquatic vegetation. Hydrilla, Hydrilla verticillata, is a plant species of major concern in Thurmond Lake. *The Aquatic Plant Management Plan for U.S. Army Corps of Engineers, Savannah District Water Resources Project, South Carolina and Georgia (APMP)* was prepared in 1998 to establish treatment priorities based on impacts to authorized Project purposes, funding, treatments by others, and environmental impacts. The Corps will not be able to treat all areas where aquatic vegetation reaches nuisance levels. Treatment areas will be prioritized in accordance with the criteria in the APMP.

(1) Adjoining property owners may treat invasive aquatic vegetation around their docks provided they obtain a Specified Acts Permit from the Thurmond Lake Office. There is no charge for the permit. An individual who is licensed by the state in the aquatic herbicide category must apply the herbicide. Permits are not required for the removal of aquatic vegetation from around private boat docks and single lane boat channels provided such work is accomplished with hand tools only.

(2) There are numerous other aquatic plants, which have the potential to impact Thurmond Lake if they are introduced. These plants include water hyacinth, eurasian watermilfoil, water lettuce, and giant salvinia. Many of these plants are sold for water gardens and small fishponds. For more information on these aquatic plants, contact the Thurmond Lake Office. Introducing these invasive species into the lake is prohibited.

e. Cultural Resources. The goal of the Thurmond Lake cultural resource management program is to protect and preserve archaeological and historic resources for the benefit of future generations and to minimize the impact of resource management, public recreation and shoreline management on cultural resources at Thurmond Lake. All project lands have been surveyed for the presence of archaeological and cultural resources, and a Historic Properties Management Plan and Programmatic Agreements with the Georgia and South Carolina State Historic Preservation Offices have been developed. In accordance with the plan and programmatic agreements, all actions on project lands, including issuance of shoreline use permits and licenses, are assessed for potential impacts to identified cultural resources. Authorized activities may be limited, or in some instances denied, if impacts to cultural resources cannot be eliminated or mitigated.

**38. Administrative Review.** In order to resolve permit and license issues that are not specifically addressed in this Shoreline Management Plan, the Thurmond Lake Office will conduct an administrative review. Determinations will be made based on

1 May 2018

applicable laws, policies, regulatory guidance, and standard practices at other similar projects.

**39. Conclusion.** The Corps is charged to protect and manage the Thurmond Lake within its scope of authority while providing recreational opportunities for the public. It is the intent of this Shoreline Management Plan to provide the maximum benefit to the public within the physical limitations of the project. This intent must be balanced within the authorized purposes of the project and existing operations. The Operations Project Manager will continue to monitor the needs of project users and recommend revisions to minimize conflicts between various interests. In accordance with ER 1130-2-406, the District Commander may make minor revisions to this plan when the revisions are consistent with policy. This Plan will be evaluated for major revision as needed. In advance of recommending any major revision to this Plan, additional public involvement will occur. Further information on this Plan may be obtained by contacting the J. Strom Thurmond Lake Office at 1-800-533-3478.



Marvin L. Griffin, P.E.  
Colonel, U.S. Army  
Commanding

**Exhibit I. Shoreline Allocation Maps. Shoreline zoning allocation maps are available for viewing online at [www.tinyurl.com/ThurmondLake-ShorelineMgt](http://www.tinyurl.com/ThurmondLake-ShorelineMgt) or at the J. Strom Thurmond Lake Office at 800-533-3478.**

**Exhibit II. Permit and License Application Process.** Permits and licenses are issued for a maximum of five years and are non-transferable. They grant no real estate rights nor convey any private exclusive use privileges on government property. Thurmond Lake's shoreline is open to use by the general public. Permit and license fees are non-refundable.

### **Who May Apply**

Individuals who own property adjacent to public lands and meet the requirements in Section 14, Eligibility Requirements, may apply for a Shoreline Use Permit and/or Real Estate License. The adjacent land must be of a practicable lot design or plat. The type of items that may be authorized is based on the zoning of the shoreline adjacent to this shared common boundary line. First-time applicants for new facilities must meet on-site with a Park Ranger.

### **How to Apply**

Contact the Thurmond Lake Office at 1-800-533-3478 and request an appointment with the Shoreline Park Ranger responsible for your area of the lake. The Park Ranger will meet with you at the property to discuss Shoreline Management policies. You will be given an application packet to complete and return to the Thurmond Lake Office for review and approval. Final permit approval will not be given until the Operations Project Manager or his authorized representative reviews and issues the permit. Upon approval of the permit, the application will be forwarded to the Savannah District Real Estate Division for Determination of Availability and approval or denial of the license, if applicable. Once the permit and license are approved, a copy of the signed permit and/or license, as well as a permit tag, will be mailed to the applicant. This tag must be displayed on the outside of the dock or along the shoreline if a dock is not present.

### **What to Submit**

- One (1) completed original application package.
- One (1) copy of your property deed or closing statement. (Note: Must be signed and notarized).
- One (1) copy of engineered dock drawings displaying dimensions or plans from a dock builder with dock plans on file.
- Community dock agreement with each members name (if applicable)
- Electrical certification statement (after installation/upon reauthorization)
- Check Payable to F & A Officer for the permit fee.
- Professional survey of eligible underbrushing area or 90° projection (if applicable)

**All information must be submitted at the same time. Partial or incomplete applications will not be accepted.**

### **Where to File**

J. Strom Thurmond Lake, ATTN: Shoreline Section, 510 Clarks Hill Highway, Clarks Hill, South Carolina 29821, Telephone: 800-533-3478

### **What Facilities May Be Authorized in Permits or Licenses**

Floating Facilities  
Underbrushing  
Potable Water Line  
Non-potable Water Line (existing water lines only)  
Electric Line (requires electric certification)  
Improved Walkways  
Erosion Control

### **How to Modify a Permit or License**

Modification to any part of the permit or license requires prior approval. A site review is generally required. Contact the Thurmond Lake Office for additional information.

### **Permit and License Expirations**

Expiring permits and licenses are normally processed automatically. Please keep your mailing address current.

### **Processing the Application**

It will take approximately 4 to 6 weeks to evaluate and process your application. Much of this time depends on the accuracy and completeness of your application. Be sure to check all application requirements prior to mailing.

### **Exhibit III. Shoreline Use Permit Conditions**

***i.* Permits may be revoked by the District Commander when it is determined that the public interest requires such revocation or when the permittee fails to comply with terms and conditions of the permit, the Shoreline Management Plan, or this regulation. (Appendix A to 36 C.F.R. § 327.30, paragraph 3. Permit Revocation)**

1. This permit is granted solely to the applicant for the purpose described on the attached permit.
2. The permittee agrees to and does hereby release and agree to save and hold the Government harmless from any and all causes of action, suits at law or equity, or claims or demands or from any liability of any nature whatsoever for or on account of any damages to persons or property, including a permitted facility, growing out of the ownership, construction, operation or maintenance by the permittee of the permitted facilities and/or activities.
3. Ownership, construction, operation, use and maintenance of a permitted facility are subject to the Government's navigation servitude.
4. No attempt shall be made by the permittee to forbid the full and free use by the public of all public waters and/or lands at or adjacent to the permitted facility or to unreasonably interfere with any authorized project purposes, including navigation in connection with the ownership, construction, operation or maintenance of a permitted facility and/or activity.
5. The permittee agrees that if subsequent operations by the Government require an alteration in the location of a permitted facility and/or activity or if in the opinion of the district commander a permitted facility and/or activity shall cause unreasonable obstruction to navigation or that the public interest so requires, the permittee shall be required, upon written notice from the district commander to remove, alter, or relocate the permitted facility, without expense to the Government.
6. The Government shall in no case be liable for any damage or injury to a permitted facility which may be caused by or result from subsequent operations undertaken by the Government for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage. This includes any damage that may occur to private property if a facility is removed for noncompliance with the conditions of the permit.
7. Ownership, construction, operation, use and maintenance of a permitted facility and/or activity are subject to all applicable Federal, state and local laws and regulations. Failure to abide by these applicable laws and regulations may be cause for revocation of the permit.

8. This permit does not convey any property rights either in real estate or material; and does not authorize any injury to private property or invasion of private rights or any infringement of Federal, state or local laws or regulations, nor does it obviate the necessity of obtaining state or local assent required by law for the construction, operation, use or maintenance of a permitted facility and/or activity.

9. The permittee agrees to construct the facility within the time limit agreed to on the permit issuance date. The permit shall become null and void if construction is not completed within that period. Further, the permittee agrees to operate and maintain any permitted facility and/or activity in a manner so as to provide safety, minimize any adverse impact on fish and wildlife habitat, natural, environmental, or cultural resources values and in a manner so as to minimize the degradation of water quality.

10. The permittee shall remove a permitted facility within 30 days, at his/her expense, and restore the waterway and lands to a condition accepted by the resource manager upon termination or revocation of this permit or if the permittee ceases to use, operate or maintain a permitted facility and/or activity. If the permittee fails to comply to the satisfaction of the resource manager, the district commander may remove the facility by contract or otherwise and the permittee agrees to pay all costs incurred thereof.

11. The use of a permitted boat dock facility shall be limited to the mooring of the permittee's vessel or watercraft and the storage, in enclosed locker facilities, of his/her gear essential to the operation of such vessel or watercraft.

12. Neither a permitted facility nor any houseboat, cabin cruiser, or other vessel moored thereto shall be used as a place of habitation or as a full or part-time residence or in any manner which gives the appearance of converting the public property, on which the facility is located, to private use.

13. Facilities granted under this permit will not be leased, rented, sub-let or provided to others by any means of engaging in commercial activity(s) by the permittee or his/her agent for monetary gain. This does not preclude the permittee from selling total ownership to the facility.

14. Floats and the flotation material for all docks and boat mooring buoys shall be fabricated of materials manufactured for marine use. The float and its flotation material shall be 100% warranted for a minimum of 8 years against sinking, becoming waterlogged, cracking, peeling, fragmenting, or losing beads. All floats shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. All floats and the flotation material used in them shall be fire resistant. Any float which is within 40 feet of a line carrying fuel shall be 100% impervious to water and fuel. The use of new or recycled plastic or metal drums or non-compartmentalized air containers for encasement or floats is prohibited. Existing floats are authorized until it or its flotation material is no longer serviceable, at which time it shall be replaced with a float that meets the conditions listed above. For any floats installed after the effective date of this specification, repair or replacement shall

be required when it or its flotation material no longer performs its designated function or it fails to meet the specifications for which it was originally warranted.

15. Permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. The resource manager will notify the permittee of any deficiencies and together establish a schedule for their correction. No deviation or change from approved plans will be allowed without prior written approval of the resource manager.

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

17. The permit display tag shall be posted on the permitted facility and/or on the land areas covered by the permit so that it can be visually checked with ease in accordance with instructions provided by the resource manager.

18. No vegetation other than that prescribed in the permit will be damaged, destroyed or removed. No vegetation of any kind will be planted, other than that specifically prescribed in the permit.

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

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

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

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

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

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

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

26. If the ownership of a permitted facility is sold or transferred, the permittee or new owner will notify the Resource Manager of the action prior to finalization. The new owner must apply for a Shoreline Use Permit within 14 days or remove the facility and restore the use area within 30 days from the date of ownership transfer. 27. If permitted facilities are removed for storage or extensive maintenance, the resource manager may require all portions of the facility be removed from public property.

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

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

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

29. The effective date stated in Condition 14 shall be July 1, 1998.

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

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

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

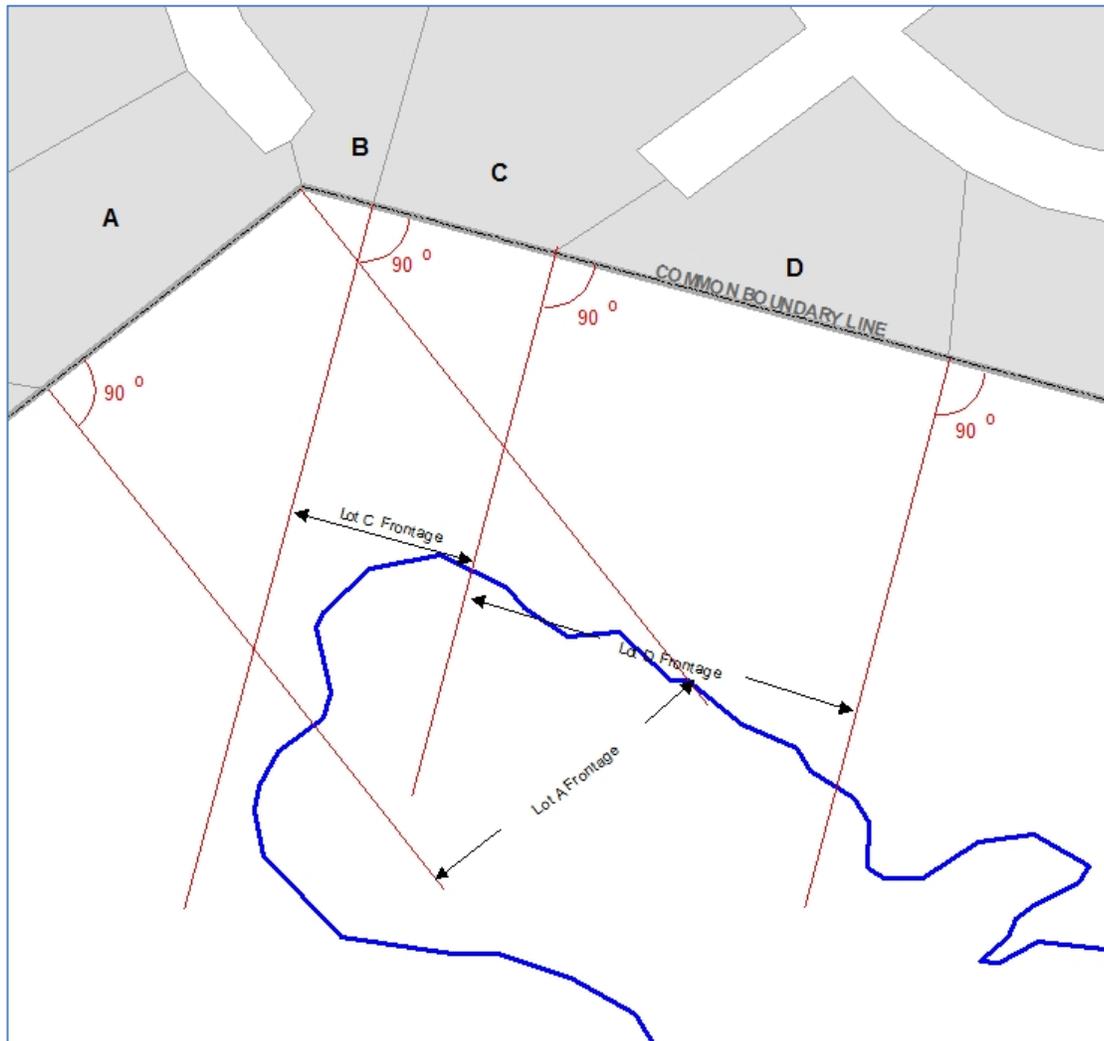
33. All electrical utilities must meet or exceed the National Electric Code standards for Wet Locations, Marinas and Boatyards (Article 555) and any additional U.S. Army Corps of Engineers requirements. All electrical utilities must be certified by a licensed electrician at installation and periodically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

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

35. Activities and facilities not expressly authorized by any attached Exhibits, Specified Act Permits, or by 36 C.F.R Part 327 are prohibited.

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

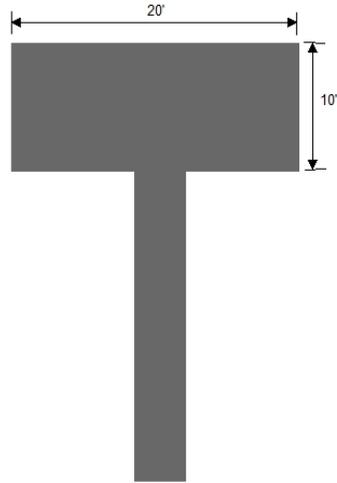
**Exhibit IV. 90° Projection Example.**



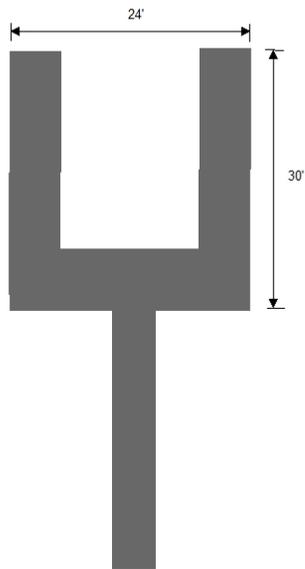
This example depicts private properties adjacent to a Limited Development area on Thurmond Lake. Primary frontage for each lot is determined by projecting a 90° angle from the common boundary line between public land and private property to the 330' msl. The 90° projection is not an extension of private lot lines.

The 90° projections for lots A, C and D intersect water and, therefore, are eligible for permits. A 90° projection from Lot B does not intersect water. Lot B, therefore, is not eligible for a permit. Lots A and C have intersecting frontage areas and share common shoreline. Lots A and D also share common shoreline. If there is only enough room for one dock at each of these locations, permits will be issued on a first-come, first-serve basis.

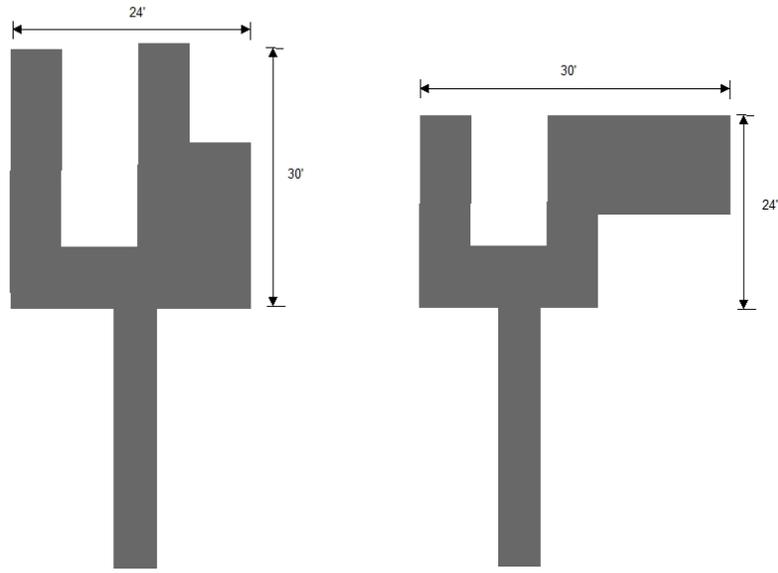
**Exhibit V. Dock Configuration Examples.**



Typical Flat T-Dock Configuration  
(200 sq. ft. maximum)

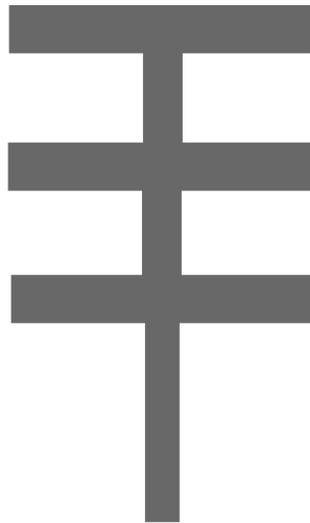


Typical Slip Dock Configuration  
(720 sq. ft. maximum)

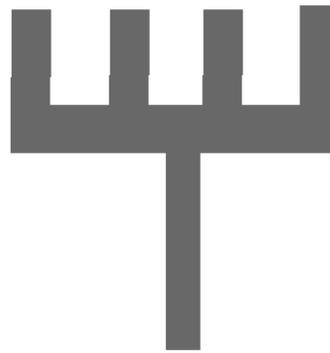


Atypical Slip Dock Configurations  
(720 sq. ft. maximum)

4-Slip Community Dock  
(2068 sq. ft. maximum)



3-Slip Community Dock  
(1614 sq. ft. maximum)



Typical Community Dock Configurations  
(1160 sq. ft. maximum first two slips,  
454 sq. ft. each additional slip)

**Exhibit VI. Electrical Certification Form.**

**U.S. ARMY CORPS OF ENGINEERS, J. STROM THURMOND LAKE  
ELECTRICAL CERTIFICATION FORM**

Present safety requirements stipulate that all powerlines on public property be brought into compliance with the National Electrical Code (NEC). The powerline must meet or exceed code requirements with the following requirements exceeding the NEC:

- a. All exposed wiring must be within weatherproof electrical conduit. A ground fault circuit interrupter (GFCI) must be installed on line.
- b. If electrical power is installed on a floating facility, a service disconnect unit must be installed on a pole on the shoreline for emergency purposes. A ground fault interrupter (GFCI) must be installed on the line to protect all wiring on the dock and gangwalk.
- c. All receptacles/switches must be a minimum of 3 feet above the decking on boat docks.
- d. All fixtures such as switches, receptacles, floodlights, etc., must be approved for outdoor use in wet and/or damp locations.

Electrical installations around water have great potential for electrocution due to faulty wiring or fixtures. To insure the safety of everyone, all electrical installations on powerpoles and/or docks must be inspected by a qualified electrician or electrical engineer and a certified wiring diagram submitted if electrical service is to a dock. Failure to meet the safety requirement will be grounds for termination of the permit. This form provides space on the backside for an electrical diagram.

**POWERPOLE INSTALLATION**

- 1. All wiring on pole must be in weatherproof electrical type conduit.
- 2. All receptacles must have ground fault protection.
- 3. Base of powerpole must be at or above 331' m.s.l.
- 4. Pole is to be metal, treated wood or a commercially built power-pole. Minimum height of pole is 10' and maximum height is 15'.
- 5. Base of receptacle must be at least 5' above ground level.

**ELECTRICAL RE-CERTIFICATION**

Upon EVERY renewal, transfer of ownership or electrical modification, a qualified electrician or electrical engineer must certify the electrical installation. This is MANDATORY.

**Permitte's Name(Print):** \_\_\_\_\_

**Permittee's Signature:** \_\_\_\_\_

**Subdivision:** \_\_\_\_\_ **Lot** \_\_\_\_\_ **Permit #** \_\_\_\_\_

**ELECTRICAL CERTIFICATION:** I certify that this electrical installation is ground fault protected and materials, workmanship, and installation method meets or exceeds the current National Electrical Code standards and Corps of Engineers requirements for this type location.

\_\_\_\_\_  
**Name of Electrician (Print)**                      **Signature of Electrician**                      **Date**

\_\_\_\_\_  
**Company**                                      **Phone Number**                                      **State/Real Estate license**  
**Number**

**NOTE: UTILITY RIGHT-OF-WAY PERMIT BECOMES NULL AND VOID IF INSTALLATION AND REQUIRED CERTIFICATION IS NOT COMPLETED WITHIN ONE YEAR OF PERMIT ISSUANCE DATE. ELECTRICIAN MUST BE LICENSED IN THE STATE WHERE THE PERMITTED ELECTRICAL FACILITY IS LOCATED.**

**Exhibit VII. Regional/Programmatic General Permits.** Certain activities in waters of the United States are regulated under Title 33 of the United States Code (U.S.C.). Regional and Programmatic General Permits have been issued which authorize certain activities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344) at Thurmond Lake. Authority has been given to the Thurmond Lake Operations Project Manager to administer these Regional and Programmatic General Permits. The scope of these General Permits includes only those activities which are considered to be minor in nature and would cause only minimal individual and cumulative environmental impacts. These activities include dredging; discharge structures when the discharge does not require a National Pollutant Discharge Elimination System (NPDES) permit; and construction of, or maintenance of, a fixed structure (e.g., a rip rap or retaining walls). Copies of the General Permits and additional information on activities regulated under Title 33 may be obtained from the Operations Project Manager or from the following websites:

**South Carolina: Regional General Permit for Minor Activities on Corps Lakes on the Savannah River, South Carolina (SAC-2016-00094 through 00106):**  
<http://www.sac.usace.army.mil/Missions/Regulatory.aspx>

**Georgia: Programmatic General Permits for Lakes Hartwell, Richard B. Russell and J. Strom Thurmond, Savannah District/State of Georgia (SAS-2006-00840/PGPs 2-14):**  
<http://www.sas.usace.army.mil/Missions/Regulatory/Permitting/GeneralPermits/ProgrammaticGeneralPermits.aspx>

**Exhibit VIII. Approved Planting List.** Planting on public property is authorized only by a written Specified Acts Permit. A Specified Acts Permit may be obtained following a meeting with Natural Resources personnel or by contacting the Thurmond Lake Office. A diagram showing the location, number and species of plants to be placed on public lands must be submitted for approval and will be a part of the written Specified Acts Permit. Only native species or those non-native species beneficial to wildlife (marked with an \*) may be planted on public property. Vegetable gardens and flowerbeds are not permitted. The following list is not all inclusive and other native plant species may be considered on a case by case basis.

### **EVERGREEN TREES**

Loblolly Pine - *Pinus taeda*  
Shortleaf Pine - *Pinus echinata*  
Eastern Red Cedar - *Juniperus virginiana*\*  
Longleaf Pine - *Pinus palustris*  
Virginia Pine - *Pinus virginiana*

### **HARDWOOD OVERSTORY**

Red Maple - *Acer rubrum*  
Silver Maple - *Acer saccharum*  
Sawtooth Oak - *Quercus accutissima*  
White Oak - *Quercus alba*\*  
Water Oak - *Quercus nigra*\*  
Willow Oak - *Quercus phellos*\*  
Pignut Hickory - *Carya glabra*  
Shagbark Hickory - *Carya ovata*  
White Ash - *Fraxinus americana*  
Crabapple - *Malus callaway*\*  
Yellow Poplar - *Liriodendron tulipifera*  
Sycamore - *Platanus occidentalis*  
Red Oak - *Quercus falcata*\*  
Chestnut Oak - *Quercus pinus*\*  
American Beech - *Fagus grandifolia*\*  
Magnolia - *Magnolia grandiflora*\*  
Mockernut Hickory - *Carya tomentosa*  
Bitternut Hickory - *Carya cordiformis*  
Green Ash - *Fraxinus pennsylvanica*  
Sweetgum - *Liquidambar styraciflua*

### **HARDWOOD UNDERSTORY**

American Holly - *Ilex opaca*\*  
Redbud - *Cercis canadensis*  
Persimmon - *Diospyros virginiana*\*  
Hackberry - *Celtis occidentalis*\*  
Sassafras - *Sassafras albidum*\*  
Fringe Tree - *Chionanthus virginicus*  
Carolina Silverbell - *Halesia carolina*  
White Dogwood - *Cornus florida*\*  
Black Cherry - *Prunus serotina*\*  
Sourwood - *Oxydendrum arboreum*  
Red Mulberry - *Morus rubra*\*  
Hawthorn - *Crataegus sp.*\*  
Buckeye - *Aesculus sp.*\*

### **WET SITE HARDWOODS**

River Birch - *Betula nigra*  
Eastern Poplar - *Populus deltoides*  
Box Elder - *Acer negundo*  
Weeping Willow - *Salix babylonica*\*  
Black Gum - *Nyssa sylvatica*\*  
Black Willow - *Salix nigra*  
Bald Cypress - *Taxodium distichum*

### **EVERGREEN SHRUBS**

Wax Myrtle - *Myrica cerifera*\*  
Leucothoe - *Leucothoe catesbii*  
Pieris - *Pieris japonica*  
Yaupon - *Ilex vomitoria*  
Carolina Rhododendron - *Leucothoe caroliniana*  
Mountain Laurel - *Kalmia latifolia*

**DECIDUOUS SHRUBS**

Spice Bush - Lindera benzoin

Sumac - Rhus sp.

Viburnum - Viburnum sp.\*

Virginia Willow - Itea virginiana

Winterberry - Ilex verticillata

Witch-hazel - Hamamelis virginiana

Sweet Shrub - Calycanthus floridus

Blueberry - Vaccinium sp.\*

Sweet Pepperbush - Clethra alnifolia

Pinxter Flower - Rhododendron nudiflorum

Elderberry - Sambucus canadensis\*

Button Bush - Cephalanthus occidentalis\*

Yellowroot - Xanthoriza apiifolia

Flame Azalea - Rhododendron

calendulaceum

Coral berry - Symphoricarpos orbiculatus\*

Chickasaw Plum - Prunus angustifolia\*

Strawberry Bush - Euonymus americanus\*

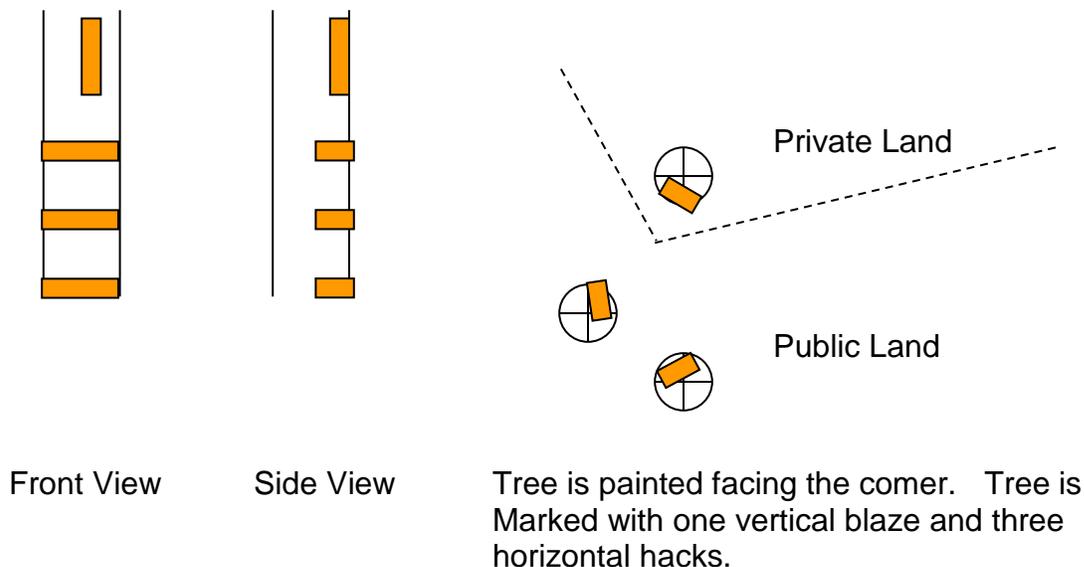
This list is not all-inclusive. Other native plant lists may be found at the following websites. Any species planted on public land must be approved in advance by the Thurmond Lake Office.

**Exhibit IX. Boundary Line Brochure.** Thurmond Lake is one of the Southeast's largest and most popular recreational lakes, with more than 4 million visitors annually. Sound management of approximately 70,000 acres of land and 1,085 miles of shoreline is important to protect and preserve this natural resource for future generations while providing recreational opportunities for today's visitors.

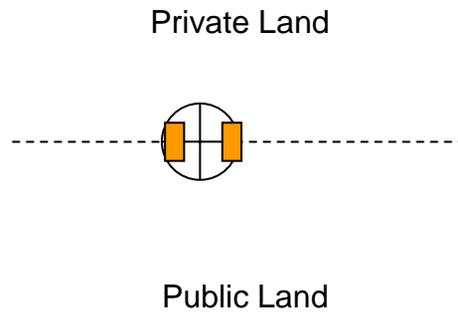
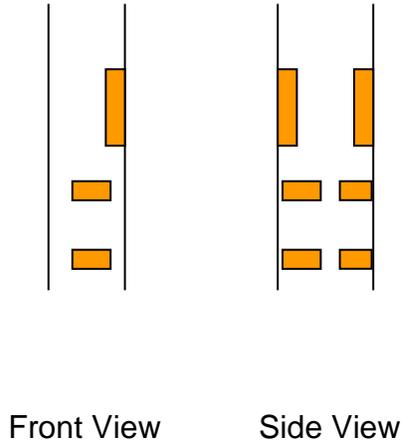
The Corps manages Thurmond Lake to ensure a balance between the recreational user, the environment, and the conservation of project resources. Consideration must also be given to possible conflicts of use between the general public and owners of private property adjoining the project.

Private use is managed through a permit or license which allows property owners to build or install facilities such as boat docks, water and electrical lines, etc. Owning property adjoining Thurmond Lake's land does not convey any exclusive rights to the use of public land, particularly in building or extending any structures onto federal property without written authorization. Such action would constitute an encroachment, which is defined as placing or the continued existence of any structure or item under, upon, in, or over the project's lands or waters and/or destruction, injury, defacement, removal or any alteration of public property including natural formations, historical and archaeological features, and vegetative growth unless authorized in writing. To assist in identifying public property lines, "witness" trees are painted with orange paint bands along the project's boundary lines. The illustrations below depict the four different types of markings and describe their meanings.

### Corner Witness Tree

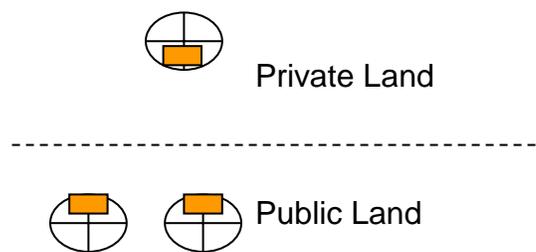
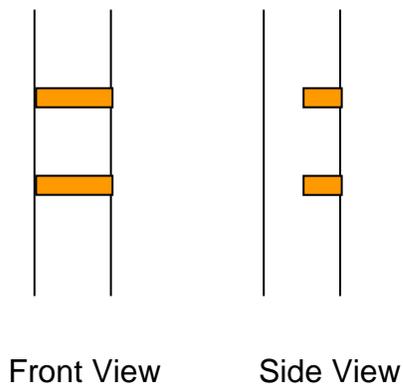


### Center Line Tree



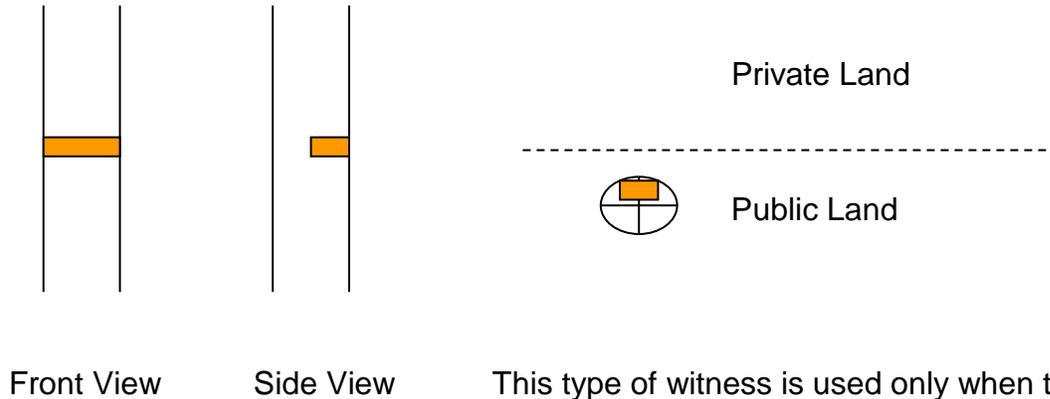
This witness tree is used when the line goes through the tree. Tree is painted on both sides with one vertical and two horizontal hacks.

### Line Witness Tree



The most common witness tree. Two horizontal hacks face the boundary line. Only trees within 30 inches of the boundary line are marked.

### Banded Directional Tree



This type of witness is used only when there are no trees within 30 inches of the boundary line. One band is painted facing the line showing the general direction of the line.

Property owners should be extra careful when building any structure near project property lines to avoid encroachments. Past experience has shown that lot pins do not always agree with established boundary lines. We advise prospective buyers to insure that a recent survey has been performed to verify that there are no encroachments prior to purchasing any property adjoining Thurmond Lake.

**Exhibit X. Sample Community Dock Agreement.**

J. STROM THURMOND LAKE  
COMMUNITY DOCK AGREEMENT

PERMIT NO.: xxxx

EXPIRATION DATE:

Issuance of the permit is dependent upon adherence to the Thurmond Lake Shoreline Management Plan and the following conditions:

1. Each community dock member must own an equal interest in the dock and is obligated to bear the cost of their slip and proportional share of overall maintenance costs.
2. Community dock members must form a legal entity.
3. The dock association will designate one person to represent the association in all matters pertaining to the issuance of this permit.
4. All association dock members must qualify for moorage in accordance with the current Shoreline Management Plan.
5. Each association member is required to furnish a copy of the warranty deed for his or her property as proof of legal access.
6. When a share of a community dock is sold, the designated agent must furnish the name and address of the new owner and previous owner to the Thurmond Lake Office.
7. The designated agent, on behalf of the members, may request expansion of the community dock provided the maximum number of slips allocated to the dock has not been constructed.
8. Applications will be considered on a first-come, first-serve basis.
9. No expansion or alteration may be accomplished until detailed plans and specifications have been approved in writing by the Corps of Engineers.
10. Failure to allow new members that qualify to join the community dock will result in the termination of this permit.

I agree to act as designated agent until another agent is appointed. As designated agent, I will ensure the above conditions are adhered to and that the association maintains the community dock facility in a safe, structurally sound manner at all times.

Date \_\_\_\_\_

X \_\_\_\_\_

Signature of Designated Agent

DP 1130-2-11  
1 May 2018

COMMUNITY DOCK MEMBER(S)

NAME	ADDRESS	LOT #	SIGNATURE
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____