



**US Army Corps
of Engineers**®
Nashville District

DEPARTMENT OF THE ARMY REGIONAL PERMIT 13-RP-01
REGULATORY BRANCH, 3701 BELL ROAD
NASHVILLE, TENNESSEE 37214
(615) 369-7500

FILE NO.

DATE:

PERMITTEE:

LAKE/LOCATION:

EXPIRES: June 7, 2018

TVA ID: RLR

The United States Army Corps of Engineers (Corps) has determined your proposed work meets the criteria of Regional Permit (RP) 13-RP-01 provided the work is constructed in accordance with the attached Tennessee Valley Authority (TVA) permit and the following general and special conditions. If you have any questions, we can be reached at the address or phone number above.

a. Location of Activities: This RP is applicable to the TVA reservoir boundary (Kentucky Lake, Pickwick Lake, Wilson Lake, Wheeler Lake, Guntersville Lake, Tims Ford Lake, Upper Bear Creek Lake, Little Bear Creek Lake, Cedar Creek Lake, Fort Loudoun Lake, Watts Bar Lake, Douglas Lake, Norris Lake, Cherokee Lake, South Holston Lake, Ft. Patrick Henry Lake, Boone Lake, Watauga Lake, Chickamauga Lake, Tellico Lake, Melton Hill Lake, Nickajack Lake).

b. Activities Authorized: This RP authorizes the construction of facilities that are constructed in accordance with the attached TVA permit and plans, including private fixed and/or floating dock structures and associated steps, water intakes, geothermal heat exchange units, boat mooring posts, and the construction of small boat access channels required to operate and access private dock structures.

c. Activities Requiring Notification: This RP requires pre-construction notification to the Corps for activities located in areas identified by the Corps to be potentially hazardous for navigation, as designated on the following lakes: Kentucky Lake, Pickwick Lake, Wilson Lake, Wheeler Lake, Guntersville Lake, Nickajack Lake, Chickamauga Lake, Watts Bar Lake, Melton Hill Lake, Fort Loudoun Lake, and Tellico Lake. The Corps will notify the permittee that work may not commence until further review is completed. Maps of potentially hazardous areas will be made available to those contacting this office.

GENERAL CONDITIONS.

1. The facilities must be maintained in good condition and in compliance with the terms and conditions of the RP. This RP may be revoked with written notice if: (a) the structure is not completed in accordance with approved plans; (b) if in the Corps judgment, the structure is not maintained as provided herein; the structure is abandoned; or (c) TVA notifies the Corps that they have revoked approval for any reason. If this RP is revoked, you may be required to remove the structure within 30 days, at your expense.
2. If any previously unknown historic or archaeological remains are discovered while accomplishing the work authorized by the RP, you must stop work and immediately notify this office. The Corps will initiate federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
3. The activities covered by this RP shall not directly or indirectly jeopardize the continued existence of a threatened or endangered species, as identified under the Endangered Species Act, or endanger the habitats of such species. No activity is authorized under this RP which may affect a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed by TVA.
4. Representatives of the Corps must be allowed to inspect the authorized activity at any time deemed necessary to ensure the work is accomplished in accordance with the terms and conditions of the RP. It is your responsibility to obtain other federal, state, or local approvals required for the work.

SPECIAL CONDITIONS.

1. This RP is not valid until approval from TVA has been obtained. No construction may commence until TVA has approved the work in accordance with the TVA Act.
2. The work authorized under this RP must not cause an adverse impact on navigation and must not interfere with the public's right to free navigation on all navigable waters of the US.
3. This RP does not authorize the discharge of dredged or fill material, or impact to any special aquatic site, including wetlands.
4. Structures shall not be located in sections of the river with navigation restrictions; such as in narrow sections of the river or outside of river bends or close to the navigation channel if an adverse effect on navigation is likely to occur.

5. Private dock structures constructed for permanent boat moorage shall be limited to a maximum size of 1,800 square feet displaced water surface area (open slip area is included in the area; steps and walkways are not included in area). If the action is a rehabilitation or expansion, then the size of existing and the proposed structure shall be included in the computation of the total area. Structures shall be constructed of quality materials; e.g. encased styrofoam must be used for flotation; barrels, drums, etc., are not authorized. Steps and walkway structures shall not exceed 6-feet in width.
6. The total length of the dock including walkways, dock to shoreline, shall not extend into the waterway more than one-third the distance from the minimum pool shoreline to the opposite shoreline, or 150 feet, whichever is the lesser distance.
7. Water intake lines must not exceed 3-inches in diameter, or the lakeward extent of the associated dock facility, and disturbance to riparian vegetation must be limited to the minimum needed to install the lines.
8. Structures may be subject to damage by wave wash from passing vessels. This RP does not relieve you from taking all proper steps to insure the integrity of the structures and the safety of boats moored thereto from damage by wave wash and that you shall not hold the United States liable for any such damage.
9. Construction of small boat access channels shall be authorized for the operation of, and access to, private dock structures. Up to 150 cubic yards of material may be removed, but no dredging is authorized within 10' of the Normal Summer Pool contour. Side slopes shall not be steeper than 3:1 and for those lakes with winter drawdown, the channel bottom must drain lakeward. Dredged materials shall be disposed at a TVA approved upland contained site. For reservoirs not having flood control storage, the material must be disposed above the 100-year flood contour and off TVA property.

FURTHER INFORMATION:

1. Limits of this authorization.

- a. This permit does not obviate the need to obtain other federal, state, or local authorization required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project. You understand and agree that, if future operations by the US require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, you will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the US. No claim shall be made against the US on account of any such removal or alteration.

2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the US in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data. The determination that your work meets the criteria for authorization by this permit was made in reliance on the information provided.

4. Reevaluation of your activity. This office may reevaluate its decision that your activity is authorized by this permit at any time the circumstances warrant. Circumstances that could require reevaluation include, but are not limited to, (a) You fail to comply with the terms and conditions of this permit; (b) The information provided by you regarding the activity proves to have been false, incomplete, or inaccurate; or (c) Significant new information surfaces that was not considered in reaching a decision your work meets the criteria for authorization under this permit.

5. When the structures authorized by this RP are still in existence at the time the property is transferred, the terms and conditions of this RP will continue to be binding on the new owner(s) of the property. Please notify this office to transfer the associated liabilities with compliance with the terms and conditions of this RP.

Signature of Regulatory Project Manager

Date