
Pier and Dock Permit Policy

FERC Project No. 659

Crisp County Power Commission



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PIER AND DOCK POLICY

I. INTRODUCTION:

The Crisp County Power Commission, as licensee for the Federal Energy Regulatory Commission Project No. 659, is obligated under the terms of its federal license to preserve and protect the environmental, scenic and recreational resources contained within the boundaries of Lake Blackshear. As a part of the license, the Crisp County Power Commission is required to develop and implement a definitive program of resource management and environment protection. This pier and dock permit policy is one part of the overall program and establishes procedures to regulate and control structures within the limits of the project.

II. AUTHORITY:

In accordance with the provisions of article 36 of the license issued by the Federal Energy Regulatory Commission on August 14, 1980, the Crisp County Power Commission is granted the authority and charged with the responsibility to regulate and control all activities and structures within the boundaries of Lake Blackshear.

III. PIER AND DOCK PERMIT PLAN:

A. GENERAL POLICY:

The intent of these regulations is to assure that all structures installed will be maintained in a safe and satisfactory condition. Piers, docks, floats, moorings, boathouses, and other structures permitted on Lake Blackshear constitute a revocable privilege and shall be removed at no expense to the regulatory agencies or the United States upon demand from the aforesaid agencies.

All structures in Lake Blackshear, existing and new, shall require a permit as provided herein after the effective date of these rules.

Pier and dock permits will be issued by the licensee based on the management unit criteria established in the "Lake Blackshear shoreline management plan," as presented on figure 1.

The Shoreline Management Units Established in The "Shoreline Management Plan" Are:

| <u>Shoreline Management Unit Designations</u> | <u>Dock, Pier, Ramp And Related Structure Distance And Density Standards</u> |
|---|---|
| D-1 High Density Development | 100 Feet minimum distance apart at nearest point as measured from center to center. (Except as otherwise determined by the Crisp County Power Commission). |
| D-2 Low Density Development (Commercial and Public Recreational) | 60% of shoreline remains undeveloped and 100 feet minimum distance apart at nearest point as measured from center to center. (Except as otherwise determined by the Crisp County Power Commission). |
| U-1 Predominately Undeveloped | 1,000 feet minimum distance apart at nearest point as measured from center to center. (Except as otherwise determined by the Crisp County Power Commission). |

U-1 Predominately Undeveloped
(Conditional)

Minimum distance between structures to be determined on case by case basis by the Crisp County Power Commission, and shall, in no case, be less than 200 feet apart at the nearest point as measured from center to center. The permit applicant shall meet the following:

- 1) Demonstrate to the satisfaction of the Crisp County Power Commission that the permitted use would be consistent with the resource management objectives of the project.
- 2) Comply with the special conditions and requirements as determined by the Crisp County Power Commission to minimize adverse environmental impacts.
- 3) Additional requirements, as determined by the Crisp County Power Commission may include but are not limited to the following:
 - a) Architectural controls, regulating structural style, construction materials, and exterior finishes.
 - b) Land use specifications, indicating minimum setbacks, structure placement, and clearing limitations.
 - c) Mitigating actions, such as reforestation, landscaping, and erosion control.

C-1 Conservation

2,000 feet minimum distance apart at nearest point as measured from center to center. (Except as otherwise determined by the Crisp County Power Commission).

C-2 Islands

No structures allowed into the water.

WETLANDS

Wetlands are strictly controlled by the U.S. Army Corps of Engineers, in accordance with the rules and regulations established in section 404(B) of the Clean Water Act of 1977. In addition to other county, state and federal permit certifications, development which impacts wetland areas are subject to the terms of the Clean Water Act and require a 404 permit approved by the U.S. Army Corps of Engineers.

Compliance with the Clean Water Act and other federal, county and state laws and regulations remain the responsibility of each individual.

B. GENERAL CONDITIONS:

- 1) Authorized structures shall be piers, docks, floats, moorings, and boathouses conforming to the standards contained herein.
- 2) The structure owner must make every reasonable effort to perform the work authorized in a manner so as to minimize any adverse impact of the work on fish, wildlife, and natural environmental values.
- 3) The structure owner must perform the work authorized in a manner so as to minimize any degradation of water quality.
- 4) The structure owner shall permit the Crisp County Power Commission, and other state, federal, and county inspection agencies, their representatives or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed is in accordance with the terms and conditions prescribed herein.
- 5) The structure owner shall maintain the pier, dock, float, mooring or boathouse, herein in a condition acceptable to the resource manager of the Crisp County Power Commission.
- 6) No attempt shall be made by the structure owner to prevent reasonable use by public of all navigable waters adjacent to the pier, dock, float, mooring, or boathouse.
- 7) If the display of lights and signals on any structure authorized herein is not otherwise provided by law, such lights and signals, as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the structure owner.
- 8) At such time that the permittee ceases to operate and maintain the permitted facility, or upon expiration of this permit, or upon revocation of this permit, the permittee shall remove the permitted facility within sixty (60) days, at his expense, and restore the waterway and lands to its former condition. If the permittee fails to remove and so restore to the satisfaction of the Crisp County Power Commission, then the Crisp County Power Commission may do so by contract or otherwise and recover the cost thereof from the permittee.
- 9) Structure owners are advised of the possibility that piers, docks, floats, moorings, or boathouses may be subject to damage by wave wash from passing vessels. The issuance of a permit does not relieve structure owners from taking all proper steps to insure the integrity of their structure permitted hereby and the safety of boats moored thereto from damage by wave wash and the structure owners shall not hold the Crisp County Power Commission, the County of Crisp, the State of Georgia, or the United States liable for such damage.
- 10) A structure owner, upon receipt of a notice from the Crisp County Power Commission about failure to comply with the terms, conditions, or standards of the permit, shall within sixty (60) days without expense to the Crisp County Power Commission and in such manner as the Crisp County Power Commission or its authorized representative may direct, effect compliance with terms, conditions, and standards or remove his structure from Lake Blackshear.

- 11) Variances and exceptions from the terms of these regulations may be granted in specific cases if the Crisp County Power Commission determines that such variance or exception will not be contrary to the public interest and further determines that a literal enforcement of these regulations will, in an individual case, result in unnecessary hardship. All variances and exceptions will be handled in such a manner so that the spirit of the regulations will be observed, public safety and welfare secured and substantial justice done.
- 12) After the effective date of these rules, no permit will be issued for any home or dwelling house to be constructed over the waters of Lake Blackshear or for any structure to be used for human habitation. No houseboat, cabin cruiser or other vessel shall be used for human habitation.
- 13) No trees or underbrush shall be removed, damaged, or destroyed from within the project boundaries of Lake Blackshear without the written permission from the Crisp County Power Commission.
- 14) Boat rails and trams to provide boat access between the lake and the individual's property may be allowed provided the landowner has made proper application to Crisp County Power Commission for such activity.
- 15) Notwithstanding any of the provisions of these rules the Crisp County Power Commission does encourage joint-use docks or piers so as to protect and enhance the project's scenic, recreational, and other environmental values.
- 16) Approval for commercial docks and piers require permits from the corps of engineers, the State of Georgia, the county it is located in and the Crisp County Power Commission.
- 17) Size of structures and permit fees for commercial locations will be considered on a case-by-case basis.

C. SPECIAL CONDITIONS: FOR AREAS D-1, U-1, and C-1

1.
 - (a) All structures must be of a size, shape, and design to be consistent with its surroundings, and be compatible with that particular area with respect to aesthetics, practicality, and safety.
 - (b) No structure shall be allowed if, in the judgement of the Crisp County Power Commission, it is not of appropriate size, shape and design for the area where it is to be placed.
2. No piers or structures shall be constructed closer than ten (10) feet to any side lot lines. For purposes of this provision, "side lot line" shall mean the dividing line between the lands of different land owners and shall include the unlimited lakeward projection of such line on the same bearing it had at its intersection with the shoreline of Lake Blackshear.
3. Where practical, all structures will extend into project waters at right angles to the general direction of the shoreline.
4. All structures shall be constructed of concrete, treated wood, or other approved materials in accordance with the Crisp County Power Commission specifications.
5. Structures shall not have connecting walkways to the shoreline exceeding six (6) feet in width.

6. Deck areas can be "T" or "L" shaped not to exceed three hundred (300) square feet in size with no single dimension exceeding twenty (20) feet. Up to one hundred fifty (150) square feet of the deck area may be either covered and/or screened-in but not enclosed.
7. Boathouses: The purpose of a boathouse is for the housing of boats only and not for other uses. A boathouse shall be held to the minimum size necessary to house the boats for which it is intended.

Boathouses shall not be larger than six hundred (600) square feet with no single dimension exceeding twenty-eight (28) feet. The height of the boathouse shall be limited to an eave height of ten (10) feet above the deck level. Boathouses to be built or rebuilt shall not have an enclosed or covered second story. Open sundecks are allowed on top of boathouses. Boathouses may additionally have a fourfoot wide exterior walkway on three sides. Boathouses may have an enclosed storage area not to exceed sixty-four (64) square feet, which storage area is included and is not in addition to the boathouse area.

8. Structures shall not extend further out into the lake than seventy-five (75) feet from the normal shoreline. Structures shall not interfere with navigation, ingress or egress to adjoining property, or in any manner be hazardous.
9. Only one structure is allowed per permit, and that structure must be built in a manner so that it is entirely connected as one unit rather than in separate parts. Normally, only one structure will be permitted per property owner, but if an individual owns property in different areas of the lake, or if one owner has an unusually large amount of frontage on the lake, then consideration will be given to allow that owner an additional structure or structures if, in doing so, it will avoid an undue hardship or inequity to that owner. It shall be the burden of the property owner to show such hardship or inequity.
10. Walkways, whether leading out to the deck area or around an enclosed boathouse, shall not be covered, enclosed or screened-in.
11. The elevation of the top of the decking of the pier or dock will be a minimum of one (1) foot or a maximum of five (5) feet above the normal pool elevation of 237 feet mean sea level.
12. Where floatation material is used, such material will be styrofoam, fiberglass tanks, or other materials approved by the Crisp County Power Commission. Steel drums, tanks, cylinders and other such materials are not permitted for floatation purposes.
13. White reflectors are required on each corner of the pier and every twenty feet (20') on both sides of the length of the pier.
14. No structures shall be provided with any type of equipment or construction which will create or cause any liquid or solid discharge into the waters of the lake, except faucets discharging fresh water. Living quarters, bathroom facilities and showers will not be allowed on piers.
15. All structures shall be built and used only for private residential and noncommercial purposes.
16. A variance in the distance a pier or dock may extend from the shoreline may be granted in instances where conformity with existing structures would justify such a variance as a practical matter and in cases where exceptions would be desirable due to curvature of the shoreline. However, the affects of navigation and the aesthetic values of the surrounding area will take precedence in the consideration of any variance.

17. Grandfather Clause:

Existing structures constructed within the project limits prior to September 1, 1981, will be eligible for permitting under the following conditions:

- (A) Structures which are structurally sound and do not represent a hazardous condition to the safety and general welfare of the public as determined by the Crisp County Power Commission.
- (B) Structures shall be in compliance with county, state and federal law, as determined by Crisp County Power Commission.
- (C) Existing nonconforming docks and boathouses shall be retained except that they should not be:
 - (i) Enlarged or rebuilt except in conformance with these regulations but may be repaired to the extent necessary to maintain them in a safe, sanitary and structurally sound condition.
 - (ii) Rebuilt, altered, or repaired after damage exceeding fifty (50) per cent of its replacement cost at the time of rebuilding, alteration, or repair except in conformity with these regulations.

D. Special Condition: For D-2 areas

Items 1, 2, 3, 6, 7, 8, 9, 11 and 12 of special conditions for areas D-1, U-1, and C-1 also apply to D-2 along with the following:

- 1) In areas designated D-2, commercial and public recreational, structures shall be concentrated into marine service complexes so that they will be a minimum of one hundred feet (100') apart and at least sixty per cent (60%) of the shoreline shall remain undeveloped.
- 2) Private or public marinas can accommodate no more than ten (10) watercraft at a time and must be located at least one-half (1/2) mile from any other private or public marina.

E. Permit application procedure:

- 1) How to apply:

To obtain a permit, the applicant must submit detailed design plans and specifications, and technical data for review and approval by the Crisp County Power Commission office of Resource Management prior to the issuance of a permit. Applications may be obtained from:

**Crisp County Power Commission
Office of Resource Management
P. O. Box 1218
Cordele, Georgia 31010; Telephone (229) 273-3820**

Following a review and approval of the plans, a permit may be issued by the Crisp County Power Commission for those activities described in the application. This permit will authorize the construction of the requested structure. After a final inspection and approval by the Crisp County Power Commission, this permit will also serve as the final permit for the structure. However, if the construction exceeds what is described in the permit or does not conform thereto, then the Crisp County Power Commission shall have the right to immediately revoke the permit and require that any and all structures and activities performed pursuant to the permit be discontinued and/or removed.

The permit shall expire five (5) years from the date of issuance.

Changes or alterations to a permitted structure will require the issuance of an additional permit.

2) Transferring permit:

Within sixty (60) days after the transfer of any property by any person holding a permit, whether such transfer is by death, deed, foreclosure, or otherwise, the transferee shall apply to Crisp County Power Commission for the permit to be reissued in his or her name. If such application is not made within sixty (60) day period, then such permit shall be automatically revoked and terminated.

3) Fees

A check or money order must accompany the application.

Applications will not be processed unless permit fee is attached.

The following is a list of permit fees:

All structures:

1) Construction Fee \$10.00

2) Annual Fee \$00.00

F. Penalties for Violations:

Authorization obtained under a permit limits the size, length, and use of all structures. Any deviations from the specifications or other terms or conditions contain herein would constitute a violation and could result in having to remove the structures or work and restore the waterway to its former condition and/or imposition of penalties as provided by law.

It is stated in article 36(A) of the Crisp County Power Commission license that: "If a permitted use and occupancy violates any condition of this article or any other condition imposed by the licensee for protection and enhancement of the project's scenic, recreational, or other environmental values, or if a covenant of a conveyance made under the authority of this article is violated, the licensee shall take any lawful action necessary to correct the violation. For a permitted use and occupancy, that action includes, if necessary, cancelling the permission to use and occupy the projects lands and waters requiring the removal of any noncomplying stuctures and facilities."

IV. APPEALS PROCEDURE:

If a decision relating to a permit or variance is not satisfactory to the applicant, he/she must submit a detailed written report, with drawings, along with a copy of the application to:

Office of Resource Management
Crisp County Power Commission
Post Office Box 1218
Cordele, Georgia 31010

Upon receipt of the written report, an appeal hearing will be scheduled and the applicant notified. The applicant or his/her representative must be present to present the case at the scheduled meeting.

The appeal shall be heard by an appeals board consisting of any three power commissioners appointed by the Crisp County Power Commission at a regular meeting thereof. The Crisp County Power Commission shall be at liberty to change and substitute such appointees at its discretion and for any interest. A majority decision of the appeals board shall be required.

The appeal shall be heard within thirty (30) days of receipt of the written report at a time and place to be designated by the appeals board, and a decision shall be rendered within ten (10) days after such hearing, which decision shall be final.

V. OTHER PERMITS:

Regulations and permits of the U.S. Army Corps of Engineers, the State of Georgia, or the respective county also apply. Any permits required by these agencies shall be in addition to those required by the Crisp County Power Commission. The applicant is responsible for securing and compliance with any other state, federal, or county permits and regulations as established by law. The Crisp County Power Commission pier and dock permit program does not supercede these other permits.

Examples of activities requiring other permits are:

- Seawalls or retaining walls Corps of Engineers
- Dredging or filling Corps of Engineers
- Discharge of effluents into the lake County and State
- Boat Ramps Corps of Engineers

VI. The terms and conditions of this policy may be changed, altered, or amended by the Crisp County Power Commission at any regular meeting thereof.

VII. Anyone having questions about the pier and dock permit policy or needing assistance with the application should contact:

The Office of Resource Management
Crisp County Power Commission
Post Office Box 1218
Cordele, Georgia 31010
(229) 273-3820

The foregoing was adopted by the Crisp County Power Commission at its regular meeting on July 28, 1981.

CRISP COUNTY POWER COMMISSION OFFICE OF RESOURCE MANAGEMENT

APPLICATION FOR A PIER PERMIT

The undersigned (hereinafter called "applicant", which term shall include the plural thereof) hereby makes application to the Office of the Resource Management of the Crisp County Power Commission in Crisp County, Georgia to place, within the boundaries of Lake Blackshear, a structure as specifically described herein, and agree to all of the terms and condition stated herein and to fully and promptly comply with all of the provisions, terms, specifications, and conditions hereof:

1. Name and Address of Applicant

2. Telephone Number of Applicant Home _____ Work _____

3. Type of Facility: _____Boathouse _____Pier _____Boat Mooring Buoy

_____Float _____Other (Specify)

4. Description of the proposed structure and its purpose and intended use, including dimensions and specifications. (Make a drawing of the proposed structure on the enclosed sheet entitled "Plan Drawing".)

5. The property where the structure is to be located is in _____ County, in
land lot number _____ in the _____ land district and is
designated as subdivision lot number _____ in _____ subdivision.

6. The date on which the construction of the structure will commence is _____,
20_____.

7. The applicant agrees that said structure shall, in all respects, fully comply with the plans as specifically stated and described herein. The applicant shall, at all times hereunder, fully comply with and abide by the pier and dock permit policy as originally adopted by the Crisp County Power Commission on July 28, 1981 (which is incorporated herein by reference) and all revisions additions and amendments thereto. The applicant hereby acknowledges receipt of a copy of said pier permit policy and knowledge of the content therein. Applicant hereby authorizes and permits any representatives of Crisp County, The Crisp County Power Commission and the Office of Resource Management of the Crisp County Power Commission to go upon any structure proposed herein along with any adjoining property, at reasonable times, for the purpose of examining or inspecting said structure.

(over)

8. The applicant acknowledges that any permit issued pursuant to this application will be for a term of five (5) years and may, in the sole discretion of the Crisp County Power Commission be renewed or extended. Within sixty (60) days after the expiration of any permit issued pursuant hereto, unless the same is renewed or extended, or within sixty (60) days after being notified by the Crisp County Power Commission that said structure no longer complies with the pier permit policy, the applicant shall remove said structure at the sole expense of the applicant.

9. In consideration of the privilege hereby granted applicant, the applicant agrees to and does hereby release and agree to save and hold the County of Crisp and the Crisp County Power Commission 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 the approved facility or structure, growing out of the ownership, construction, operation or maintenance by the applicant of the approved facilities or structures. In no case shall the County of Crisp or the Crisp County Power Commission be liable for any damage or injury to the approved facility or structure which may be caused by or result from subsequent operations undertaken by the County of Crisp or the Crisp County Power Commission for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage.

10. Applicant shall not use, maintain or construct such structure or use this permit in a manner which violates the terms of the pier permit policy mentioned above or in a manner which endangers the health, quality, environments features, vegetation or beauty within the boundaries of Lake Blackshear or in a manner so as to create a nuisance or otherwise be incompatible with the overall recreational use of Lake Blackshear. Applicant hereby agrees that the use and permit hereby granted is a privilege and is subject to such orders, rules and regulations as the Federal Energy Regulatory Commission has issued or may issue under project no. 659.

Dated this _____ day of _____, 20_____.

Property Owner Signature _____

Plan Drawing

