

#### SECTION IV: PERMITS

The following policies and procedures shall govern all permits applied for, and issued by, the Upper Oconee Basin Water Authority. All words, phrases and terms used herein shall be given the meaning as defined the Reservoir Management Plan of the Upper Oconee Basin Water Authority.

- (A) **General Policy.** It is the policy of the Authority to authorize certain private uses of Project Lands when these uses or acts are compatible with maintaining water quality and with the provisions of public law and regulation.
- (B) **Types of Permits.** Three types of permits may be authorized by the Authority.
  - 1. **Specified Act Permits.** This permit is utilized for one-time acts by persons, 18 years of age or older, who own property which abuts the Project Lands of the Authority as described in the Reservoir Management Plan, Section 9.02. The permit may be issued for short-term use only (i.e. for a term not to exceed 60 days). The permit shall automatically lapse upon a conveyance of the property or easement land. Examples of acts which may require a Specified Act Permit include, but are not limited to, the following:
    - (a) Removal of hazardous trees;
    - (b) Planting of native species;
    - (c) Pest or varmint control;
    - (d) Limited underbrushing;
    - (e) Removal of noxious plants like kudzu, poison oak, ivy, or sumac.
  - 2. **Project Shoreline Area Use Permits.** This permit is utilized for long term uses by persons, 18 years of age or older, who own property which abuts the Project Lands of the Authority as described in the Reservoir Management Plan, Section 9.03. The duration of the Project Shoreline Area Use Permit is one year; however, the permit will be customarily renewed from year to year, subject to the Authority's right to inspect such use and terminate such permit or give notice of non-renewal thereof for any reason whatsoever, including but not limited to when such use is found to be in a state of disrepair, creates a health or safety danger, is no longer functional, or adversely impacts water quality. The permit shall automatically lapse upon a conveyance of the property or easement land. Examples of acts which may require a Project Shoreline Area Use Permit include, but are not limited to, the following:
    - (a) Modification of land formation;
    - (b) Alteration of existing tree cover;
    - (c) Mowing or bushhogging;
    - (d) Establishment of a footpath; and
    - (e) Erection of a permanent structure.

3. **Special Events Permits.** This permit is utilized for the recreational use of the Public Recreation Area and Reservoir Waters whenever more than twelve persons or vessels are involved in a particular activity as described in the Reservoir Management Plan, Section 9.01. The duration of the Special Events Permit shall not extend beyond the time of said event.

(C) **Applications for Permits.** Applications for permits must be on an Authority-approved form. Any application which does not contain all of the following requirements will be returned, with no action taken by the Authority:

1. Each application must include the name, address and telephone number of the applicant.
2. Each application must indicate the type of permit requested.
3. Each application must include a detailed description of the requested action to be performed by the applicant.
4. Each applicant for a Specified Act Permit or a Project Shoreline Area Use Permit must submit proof of eligibility for the permit (i.e. the applicant must submit a copy of a recorded deed establishing the applicant as the fee simple property owner).
5. Each application must be submitted to the Reservoir Manager.

Any application returned as incomplete may be re-submitted upon completion.

(D) **Application Procedure.** After submission of the permit application to the Reservoir Manager, he or she will review and forward the application, if complete, with a recommendation to the Operations Committee of the Authority for action. Applications for permits shall be voted on at the next scheduled Operations Committee meeting after submission of the application or at a time deemed appropriate by the Operations Committee. All actions taken by the Operations Committee will be reviewed and either ratified, amended or denied by the Authority at its next scheduled meeting. If necessary, the Operations Committee or the Authority may take the matter under consideration for further inquiry to ensure that granting the permit will not adversely affect the Reservoir or any of the Project Lands. No work may proceed without final approval by the Authority and receipt of notification by the applicant. Factors to be considered by the Reservoir Manager, Operations Committee, and the Authority in deciding whether to grant a permit include, but are not limited to, the following:

1. Potential impact on water quality;
2. Environmental laws and regulations;
3. Regulatory guidance;
4. Public safety;
5. Availability of space;
6. Effect on the rights of others;
7. Whether the proposed site is an archaeological or historical site, an endangered species habitat, or a federal jurisdictional wetland;

8. Whether the permit would be issued for the purpose of enhancing the value of private property;
9. Nature, duration, and extent of the proposed activity; and
10. Whether previous permit violations or unauthorized uses have occurred.

Each application will be reviewed based on all relevant factors, without limitation, and will be decided upon its own merits.

Following review and recommendation by the Reservoir Manager and the Operations Committee, the Authority may take any of the following actions:

1. Approve the permit application;
  2. Approve the permit application, subject to conditions, including but not limited to, the following:
    - (a) Requiring coordination with the Reservoir Manager or local government agencies; or
    - (b) Requiring the submission of site plans, status reports or photographs to the Reservoir Manager.
  4. Deny the permit application;
  5. Defer the decision for approval or denial to a later date; or
  6. Remand the decision to the Operations Committee for further investigation.
- (E) **Effect of Permit Issuance.** Issuance of a permit shall not confer private property ownership or, or rights in, the Reservoir or any of the Project Lands.
- (F) **Effect of Permit Denial.** If an application for a permit is denied by the Authority on the merits, then an application for a permit for the same use shall not be considered again until the expiration of at least six months immediately following the denial.
- (G) **Violations of Permit Conditions or Unauthorized Uses.** Violations of permit conditions or unauthorized uses will result in corrective action that may include termination of the permit, removal of private property, restoration of Project Lands and any other legal action as deemed necessary, in the sole discretion of the Authority. When a permit violation or unauthorized use is corrected, the violator may re-apply for a permit subject to current regulations; however, the Authority may consider such violation or unauthorized use as a factor in its decision whether or not to grant or renew such permit.
- (H) **Procedures Are Subject to Change.** These policies and procedures are subject to change at any time by the Authority, in its sole discretion, or as otherwise required by law.

**UPPER OCONEE BASIN WATER AUTHORITY**  
**APPLICATION FOR PERMIT**

Name of Applicant: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Date of Application: \_\_\_\_\_

Type of Permit Requested:             Specified Act Permit             Project Shoreline Area Use Permit             Special Event Permit

Detailed Description of Requested Action: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(For Authority Use Only)

Proof of Ownership Submitted:     Yes             No

Action Taken on Permit:             Granted             Denied

Type of Permit Granted:             Specified Act Permit             Project Shoreline Area Use Permit             Special Event Permit

Date of Action Taken: \_\_\_\_\_

Signature of Authority Chairman or Authorized Designee: \_\_\_\_\_

**PROJECT SHORELINE AREA USE PERMIT**

Date of Issue: \_\_\_\_\_

Use Authorized: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Conditions Imposed: \_\_\_\_\_  
\_\_\_\_\_

Methods to be Employed: \_\_\_\_\_  
\_\_\_\_\_

Time Frame for Completion: \_\_\_\_\_

Equipment to be Used: \_\_\_\_\_

Location of Project: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Authority Chairman  
or Authorized Designee

\_\_\_\_\_  
Name (Please Print)

**SPECIFIED ACT PERMIT**

Date of Issue: \_\_\_\_\_

Use Authorized: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Conditions Imposed: \_\_\_\_\_  
\_\_\_\_\_

Methods to be Employed: \_\_\_\_\_  
\_\_\_\_\_

Time Frame for Completion: \_\_\_\_\_

Equipment to be Used: \_\_\_\_\_

Location of Project: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Authority Chairman  
or Authorized Designee

\_\_\_\_\_  
Name (Please Print)

**SPECIAL EVENT PERMIT**

Date of Issue: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Event Authorized: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Number of People Expected: \_\_\_\_\_

Facilities Required: \_\_\_\_\_

Location of Event: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Authority Chairman  
or Authorized Designee

\_\_\_\_\_  
Name (Please Print)