

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. The primary and overriding purpose of the Reservoir is to supply safe and reliable drinking water. Therefore, no permit will be issued which may interfere with this purpose.
- (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 must be displayed throughout the duration of the permit in the area where the permitted activity is taking place. 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 three years. However, the Authority has the right to inspect such use and terminate such permit 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 must be maintained throughout the permit period and shall be presented upon request by the Authority or other designated personnel. The permit shall automatically lapse upon a conveyance of the property or easement land or upon the non-payment of any renewal fee imposed in accordance with Section (H) below. Examples of acts which may require a Project Shoreline Area Use Permit include, but are not limited to, the following:
 - (a) Alteration of existing tree cover;
 - (b) Mowing or bushhogging; and

(c) Establishment of a footpath.

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 permit must be carried by the applicant throughout the course of the event. 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 of, or rights in, the Reservoir or any of the Project Lands. All permits shall be maintained and/or displayed in accordance with Section (B) above. No permit shall be issued without prior payment of the permit fee imposed in accordance with Section (H) below. The Authority shall notify Jackson County of any permit issued in accordance with these procedures.
- (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 twelve 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, after a period of twelve months; 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) **Permit Fees.** The Authority may, from time to time, impose fees for the application, issuance or renewal of any or all of the types of permits issued under Section (B) above.

A fee schedule for such permits shall be maintained in the office of the Reservoir Manager.

- (I) **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 Special Event Permit

Project Shoreline Area Use Permit (Original) Project Shoreline Area Use Permit (Renewal)

Detailed Description of Requested Action: _____

(Please attach any documents, photographs, drawings, or other information which you believe could better explain your plans).

(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: _____

Date of Fee Payment: _____ Amount: _____

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: _____

Date of Fee Payment: _____ Amount: _____

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: _____

Date of Fee Payment: _____ Amount: _____

Signature of Authority Chairman
or Authorized Designee

Name (Please Print)

Upper Oconee Basin Water Authority

Permit Fees

	Permit Fee	Renewal Fee	Duration	Display Type
Special Events Permit	\$500 ($\$250 + \250 refundable clean-up deposit)	N/A	Date and time of event only	Must be in applicant's possession throughout the course of the event
Specified Acts Permit	\$100	N/A	One time act for a period not to exceed 60 days	Permittee must display permit in the area where the work is to be done throughout the duration of the permit.
Shoreline Area Use Permit	\$100	\$30	3 years	Permittee must maintain permit throughout permit period and present upon request.