



DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 889
SAVANNAH, GEORGIA 31402

REPLY TO
ATTENTION OF:
Regulatory Branch
074 OYN 005712

19 FEB 1985

Georgia Power Company
ATTN: Mr. Harold D. Freeman,
Land Rights Coordinator
Post Office Box 4545
Atlanta, Georgia 30302

Dear Sirs:

PLEASE READ THIS LETTER CAREFULLY AND COMPLY WITH ITS PROVISIONS

I am enclosing a draft of your Department of the Army permit in duplicate. If you agree with the terms and conditions, please sign and date both copies of the draft permit on page 4 and return them to this office. Upon receipt, the District Engineer will validate your permit and return the original to you for your records. We will also send a Notice of Authorization, which you should display at the project site. Your permit is not valid until signed by the District Engineer.

We require a \$100 fee for issuance of a permit for a commercial facility. Please make your check payable to the Finance and Accounting Officer, Savannah District and return it in the enclosed envelope.

IT SHALL NOT BE LAWFUL TO DEVIATE FROM THE PLANS EITHER BEFORE OR AFTER COMPLETION OF THE WORK, unless a plan reflecting the modification has previously been submitted to and approved by this office.

In addition, please note that the permit not only authorizes the work but also its intended use. No use other than that specified can be made of permitted work or structures.

Please direct your attention specifically to General Conditions n and o regarding maintenance and the completion date for the project. Should you find that you cannot complete the project within the specified time frame, you are responsible to request an extension of time 90 days prior to expiration of your permit. Special Conditions relating to the project are listed on page 3 of the permit.

8503140054 850219
PDR ADOCK 05000424
A PDR

ADD: M. Miller
NRB/EHB
NSC
HOO
HOO

Transmittal Letter
074 OYN 005712

This office must be notified 10 days in advance of beginning the project. You must also provide the date you complete the project.

Sincerely,

Original Signed By
Steven Osvald

Steven Osvald
Chief, Regulatory Branch

Copies Furnished:

National Oceanic and
Atmospheric Administration
U.S. Department of Commerce
Atlantic Marine Center, CAM-04
439 West York Street
Norfolk, Virginia 23510

> Director of Nuclear Reactor Regulation
ATTN: Ms. Elinor G. Adensan,
Chief, Licensing Branch # 4
Division of Licensing
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Application No. 074 OYN 005712
Name of Applicant Georgia Power Company
Effective Date 28 FEB 1985
Expiration Date (If applicable) _____

DEPARTMENT OF THE ARMY PERMIT

Referring to written request dated 6 September 1984 for a permit to:

(x) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

() Discharge dredged or fill material into waters of the United States upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344);

() Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);

Georgia Power Company
Post Office Box 4545
Atlanta, Georgia

is hereby authorized by the Secretary of the Army:

to construct a 500 kV transmission line over Ebenezer Creek. The steel tower construction would utilize three 1113 MCM ACSR conductors per phase. Three steel towers 195 feet tall will be used which provide 165 foot clearances to the conductor attachment. These towers (Numbers 277-279) will be sited on the bluff on the southern edge of the swamp, at the northern edge of the large cypress and tupelo gum stands (Station 124.00), and in the cleared area north of the Old Augusta Road (Station 135.00). A 175 foot tower providing 140 foot clearances to the conductor attachment will be sited in the cleared area on the north side of the National Natural Landmark. The use of the towers will result in conductor clearances sufficiently high that no trimming or cutting of trees will be performed except for the area for the tower at Station 124.00.

Ebenzer Creek

at a location approximately 0.6 mile upstream from where the creek intersects the Savannah River in Effingham County near Rilacon, Georgia.

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings, give file number or other definite identification marks).

4 Incl

1. Location Map
2. Proposed Overhead Wire Crossing - 1 of 3
3. Proposed Overhead Wire Crossing - 2 of 3
4. Proposed Overhead Wire Crossing - 3 of 3

subject to the following conditions:

I. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

- b. That all activities authorized herein shall, if they involve, during their construction or operation, any discharge of pollutants into waters of the United States or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, pretreatment standards and management practices established pursuant to the Clean Water Act (33 U.S.C. 1344), the Marine Protection, Research and Sanctuaries Act of 1972 (P.L. 92-532, 86 Stat. 1052), or pursuant to applicable State and local law.
- c. That when the activity authorized herein involves a discharge during its construction or operation, or any pollutant (including dredged or fill material), into waters of the United States, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.
- d. That the discharge will not destroy a threatened or endangered species as identified under the Endangered Species Act, or endanger the critical habitat of such species.
- e. That the permittee agrees to make every reasonable effort to prosecute the construction or operation of the work authorized herein in a manner so as to minimize any adverse impact on fish, wildlife, and natural environmental values.
- f. That the permittee agrees that he will prosecute the construction or work authorized herein in a manner so as to minimize any degradation of water quality.
- g. That the permittee shall allow the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
- h. That the permittee shall maintain the structure or work authorized herein in good condition and in reasonable accordance with the plans and drawings attached hereto.
- i. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations.
- j. That this permit does not obviate the requirement to obtain state or local assent required by law for the activity authorized herein.
- k. That this permit may be either modified, suspended or revoked in whole or in part pursuant to the policies and procedures of 33 CFR 325.7.
- l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be materially false, materially incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.
- m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.
- n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.
- o. That if the activity authorized herein is not completed on or before _____ day of _____, 19_____, (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.
- p. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.
- q. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition t hereof, he must restore the area to a condition satisfactory to the District Engineer.
- r. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.
- s. That there shall be no

s. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

t. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and conditions of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

u. That if the permittee during prosecution of the work authorized herein, encounters a previously unidentified archeological or other cultural resource within the area subject to Department of the Army jurisdiction that might be eligible for listing in the National Register of Historic Places, he shall immediately notify the district engineer.

II. Special Conditions: *(Here list conditions relating specifically to the proposed structure or work authorized by this permit):*

a. That construction of the transmission towers within the Ebenezer Creek National Natural Landmark area be accomplished by the use of helicopter and manual methods where practicable to minimize the area of vegetation clearing.

b. That clearing for the construction of the tower base at Station 124.00 will be limited to an area not to exceed the dimensions of 100 feet X 100 feet.

c. That an access corridor to the tower construction site be selectively cleared not to exceed 20 feet in width along the right-of-way from the Old Augusta Road. In clearing this corridor, woody vegetation larger than four inches in diameter at breast height should be left standing where practicable. This clearing restriction also applies to clearing on the Old Augusta Road within the boundaries of the National Natural Landmark.

d. That any wooden roadways or platforms constructed for tower construction within the National Natural Landmark be removed once construction is completed. No earthen roadway or platform fills are authorized.

e. That box-type or other large culverts for crossing any permanent water slough or defined channel during construction of the access road in the adjacent forested wetlands be used only if and where necessary. These structures will be removed to a high ground location once construction is completed.

f. That the permittee shall comply promptly with any future regulations or instructions affecting the work authorized herein if and when issued in accordance with the law by any Department of the Federal Government for the aid or protection of aerial navigation.

g. That the permittee shall submit certified as-built drawings to the District Engineer within 60 days of completion. These certified drawings must be signed under the seal of a land surveyor or professional engineer registered in the State of Georgia.

The following Special Conditions will be applicable when appropriate:

STRUCTURES IN OR AFFECTING NAVIGABLE WATERS OF THE UNITED STATES:

a. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

b. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

c. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for 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 permittee.

d. That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

e. Structures for Small Boats: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

MAINTENANCE DREDGING:

a. That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for _____ years from the date of issuance of this permit (see years unless otherwise indicated);

b. That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

DISCHARGES OF DREDGED OR FILL MATERIAL INTO WATERS OF THE UNITED STATES:

a. That the discharge will be carried out in conformity with the goals and objectives of the EPA Guidelines established pursuant to Section 404(b) of the Clean Water Act and published in 40 CFR 230;

b. That the discharge will consist of suitable material free from toxic pollutants in toxic amounts.

c. That the fill created by the discharge will be properly maintained to prevent erosion and other non-point sources of pollution.

DISPOSAL OF DREDGED MATERIAL INTO OCEAN WATERS:

a. That the disposal will be carried out in conformity with the goals, objectives, and requirements of the EPA criteria established pursuant to Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, published in 40 CFR 220-228.

b. That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or disposal of the dredged material as authorized herein.

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

GEORGIA POWER COMPANY

BY:

Ronald C. Kester
RONALD C. KESTER
Vice President - Land

2-25-85

DATE

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

For: DANTEL W. CHRISTMAN

Daniel W. Christman
Colonel
DISTRICT ENGINEER,
U.S. ARMY, CORPS OF ENGINEERS

2/28/85

DATE

Transferee hereby agrees to comply with the terms and conditions of this permit.

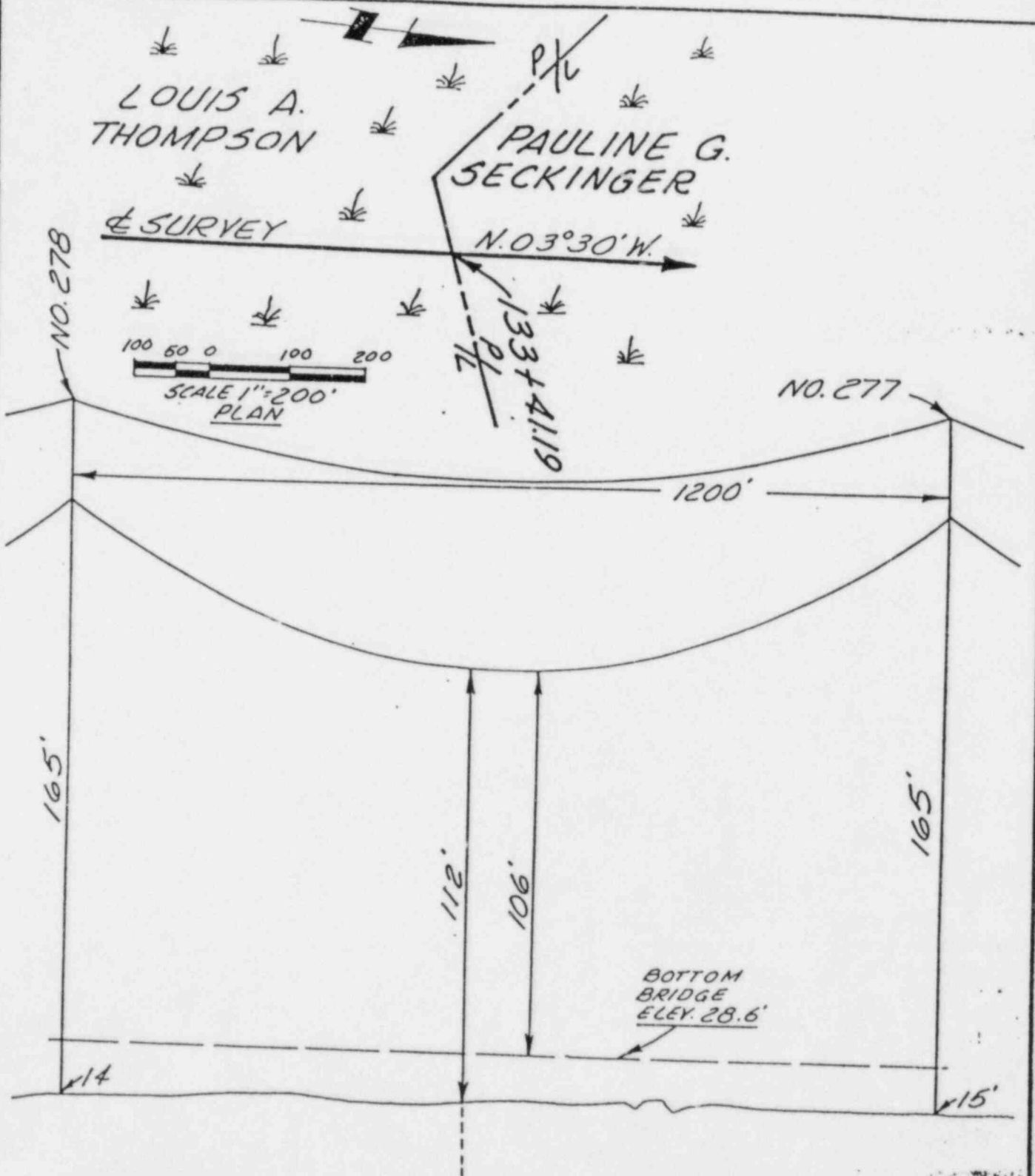
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DATE



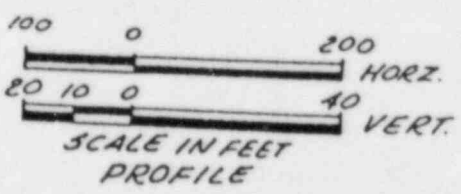
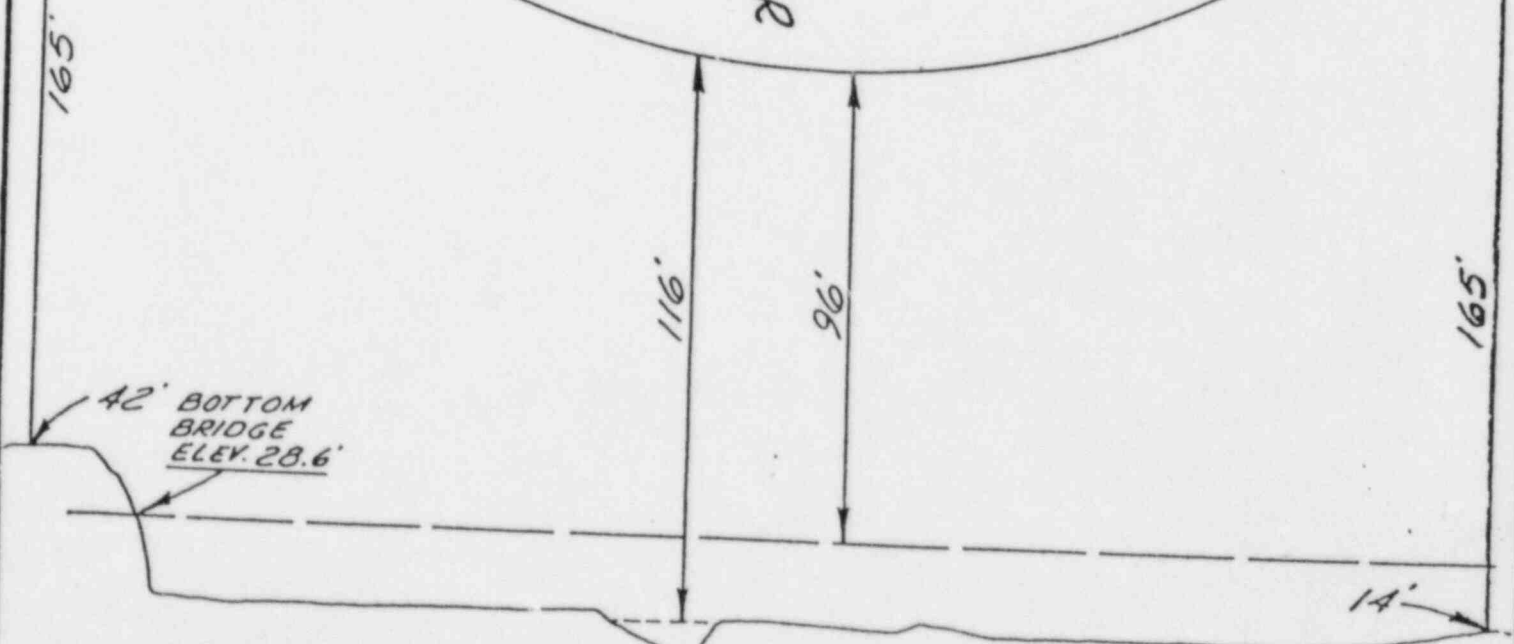
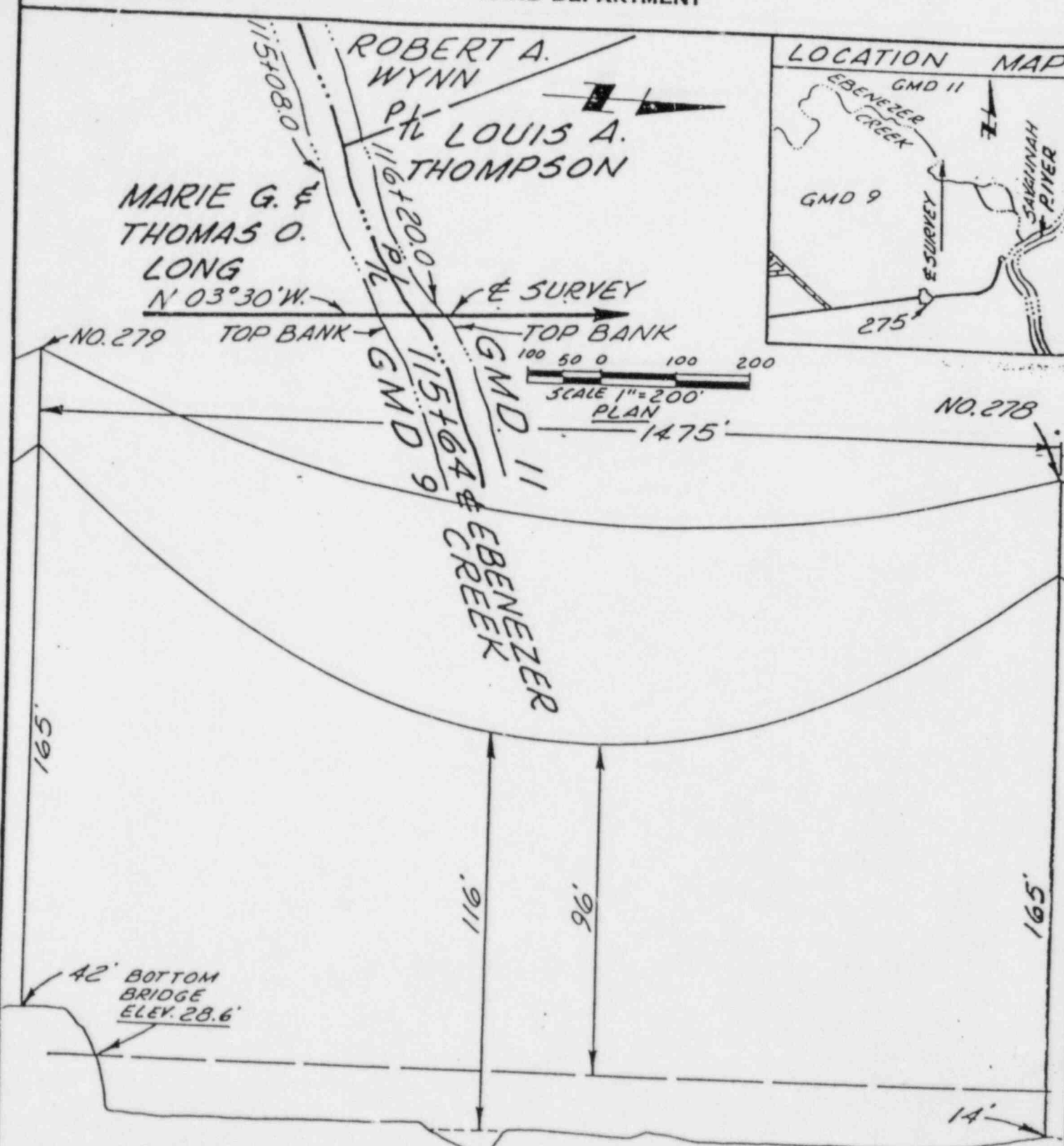
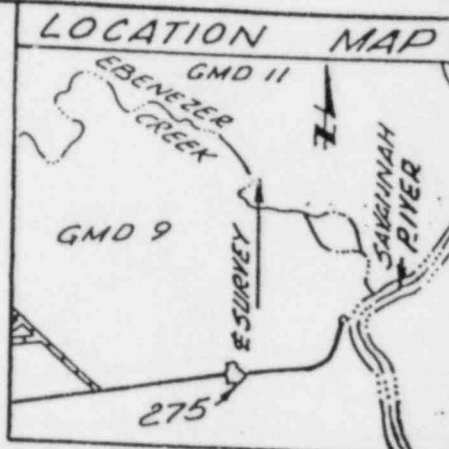
FIGURE 1.
"EBENEZER CREEK SWAMP - ALTERNATIVE ROUTE SELECTION"

GEORGI. POWER COMPANY - ATLANTA, GEORGIA
LAND DEPARTMENT



PROPOSED OVERHEAD WIRE CROSSING
EBENEZER CREEK
AT RINCON
GMD 9 & 11
EFFINGHAM COUNTY, GA.
APPLICATION BY: GEORGIA POWER CO.

GEORGIA POWER COMPANY - ANTA, GEORGIA
LAND DEPARTMENT



PROPOSED OVERHEAD WIRE CROSSING
EBENEZER CREEK
AT RINCON
GMD 9 & 11
EFFINGHAM COUNTY, GA.
APPLICATION BY: GEORGIA POWER CO.

DRAWN BY	DATE	REVISIONS	NUMBER
TRACED BY <u>M. FORTUNE</u>	<u>NOV, 1984</u>	SCALE <u>AS SHOWN</u>	<u>7-75-25</u>

GEORGIA POWER COMPANY - ATLANTA, GEORGIA
LAND DEPARTMENT

PAULINE G. SECKINGER



SURVEY N.03°30'W



100 50 0 100 200

SCALE 1"=200'

PLAN

NO. 277

145 ± 14 END W/W SWAMP

NO. 276

1000'

165'

110'

136'

140'

BOTTOM BRIDGE ELEV. 28.6'

15'

22'

100 0 200 HORIZ
20 10 0 40 VERT.
SCALE IN FEET PROFILE

PROPOSED OVERHEAD WIRE CROSSINGS
EBENEZER CREEK
AT RINCON
GMD 9 & 11
EFFINGHAM COUNTY, GA.
APPLICATION BY: GEORGIA POWER CO.

DRAWN BY _____ DATE Nov. 1984
TRACED BY M. FORTUNE SCALE AS SHOWN

REVISIONS _____

NUMBER

7-75-75