

Georgia Power Company
Route 2, Box 299A
Waynesboro, Georgia 30830
Telephone 404 554-9961, Ext. 3360
404 724-8114, Ext. 3360



Georgia Power

the southern electric system

D. O. Foster
Vice President and Project
General Manager
Vogtle Project

March 13, 1985

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

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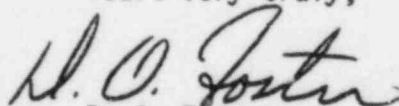
NRC DOCKET NUMBERS 50-424 AND 50-425
CONSTRUCTION PERMIT NUMBERS CPPR-108 AND CPPR-109
VOGTLE ELECTRIC GENERATING PLANT - UNITS 1 AND 2
CORPS OF ENGINEERS PERMITS

Dear Mr. Denton:

Chapter 12 of the Vogtle Electric Generating Plant (VEGP) Operating License Stage Environmental Report describes environmental approvals and consultations including permits for activities involving aerial crossings over navigable waters (Table 12.1-4). Attached for your information are the permits issued by the Savannah District, U.S. Corps of Engineers for aerial crossings for Ebenezer Creek and Briar Creek. These crossings are in association with the VEGP - Thalmann 500 kV line.

If you have any questions concerning the enclosed information please contact us.

Yours very truly,


D. O. Foster

DOF/DHW/sro
Attachments

cc: M. A. Miller
R. A. Thomas
J. A. Bailey
L. T. Gucwa
G. F. Trowbridge, Esquire
G. Bockhold, Jr.
J. E. Joiner
L. Fowler
C. A. Stangler

dwnrc

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PDR ADOCK 05000424
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COO 1
11



This notice of authorization must be
conspicuously displayed at the site of work.

United States Army Corps of Engineers

February 26, 19⁸⁵

A permit to construct a 500 kV transmission line over Briar Creek
at Briar Creek, downstream of Ga. S.R. 1321 near Sylvania, Screven Co., Ga.

has been issued to Georgia Power Company on Feb. 26, 19⁸⁵

Address of Permittee P.O. Box 4545, Atlanta, Georgia 30302

Permit Number

074 OYN 005713


District Commander
For DANIEL W. CHRISTMAN
Colonel

Application No. 074 OYN 005713
Name of Applicant Georgia Power Company
Effective Date February 26, 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);

(X) 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
P.O. Box 4545
Atlanta, Georgia 30302

is hereby authorized by the Secretary of the Army:
to construct a 500 kV transmission line over Briar Creek. The transmission line will span the entire width of the river and will have a minimum vertical clearance of 46.9 feet above the approximate high water elevation of 54.0 feet.

The steel tower construction will utilize three 1,113 MCM ACSR conductors per phase.

in Screven County, Georgia

at Briar Creek approximately 1.2 miles downstream of Brannons Bridge (GA S.R. 1321) near Sylvania

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. Plan and Profile
 3. Plan and Profile
 4. Plan and Profile

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.

a. 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 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.

b. 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.

c. That the minimum vertical clearance under conditions which produce the greatest sag for this transmission line shall be no less than 46.9 feet above the high water at this location.

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 (*ten 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: [Signature]

RONALD C. KESTER PERMITEE

Vice-President, Land

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

[Signature]

Feb 1, 1985

DATE

Feb 26 1985

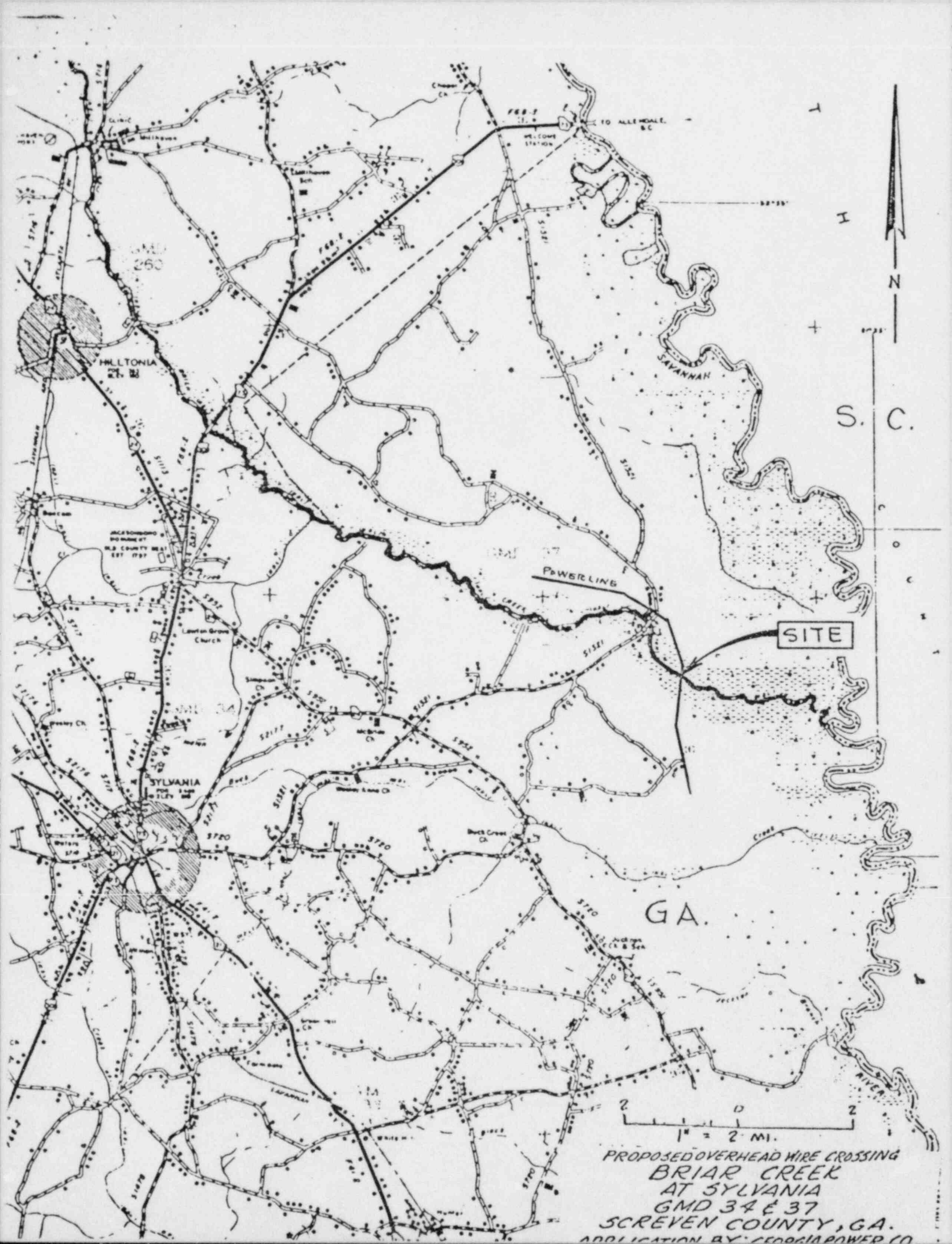
DATE

For DANIEL W. CHRISTMAN
DISTRICT ENGINEER, Colonel
U.S. ARMY, CORPS OF ENGINEERS

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

TRANSFEEE

DATE



SITE

GA.

1" = 2 MI.

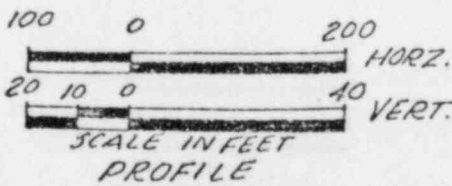
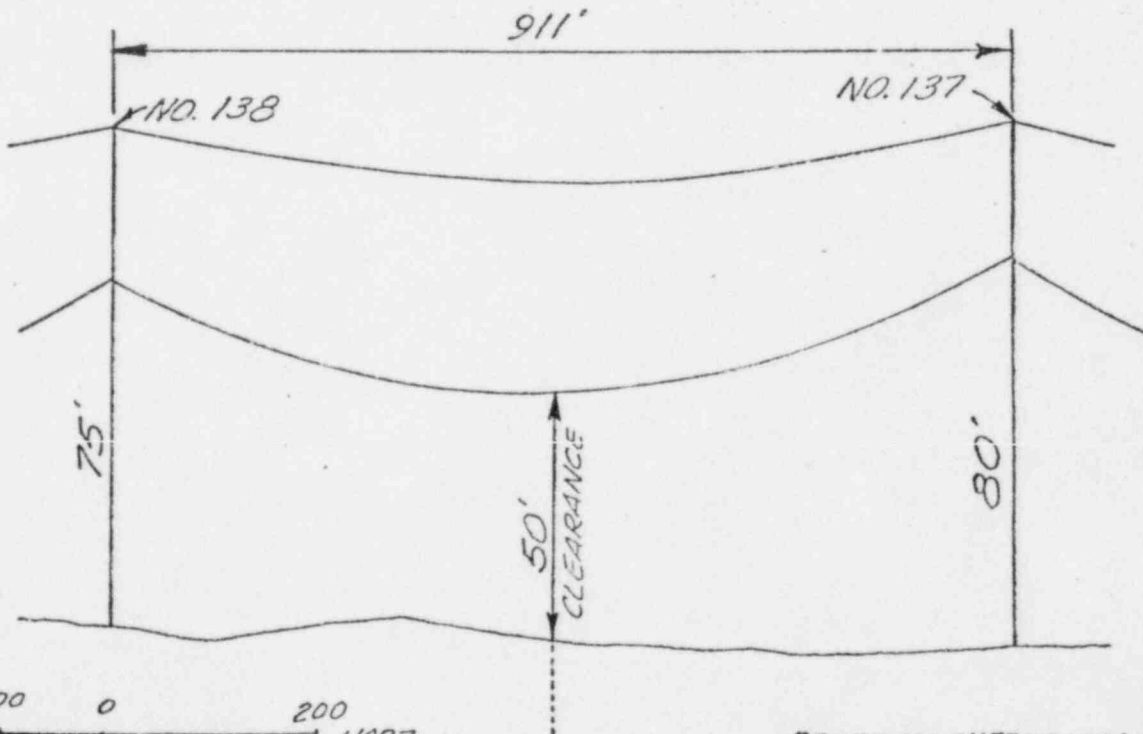
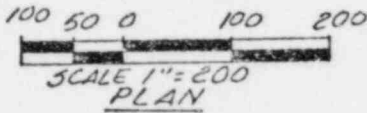
PROPOSED OVERHEAD WIRE CROSSING
BRIAR CREEK
AT SYLVANIA
GMD 34 E 37
SCREVEN COUNTY, GA.
APPLICATION BY: GEORGIA POWER CO.

GEORGIA POWER COMPANY-ATLANTA, GEORGIA
LAND DEPARTMENT

COASTAL LUMBER
COMPANY



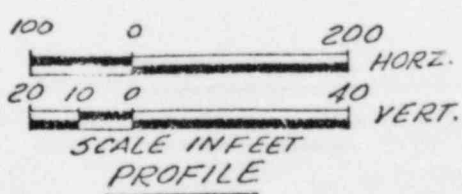
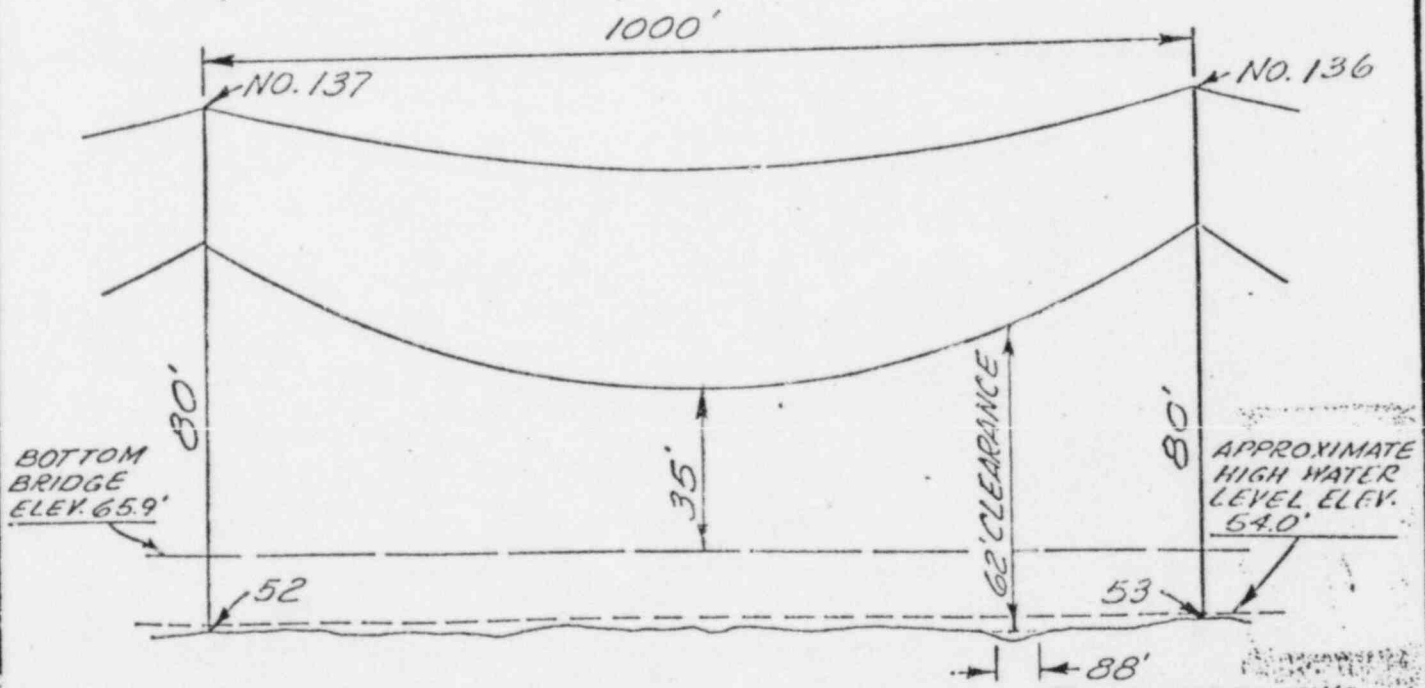
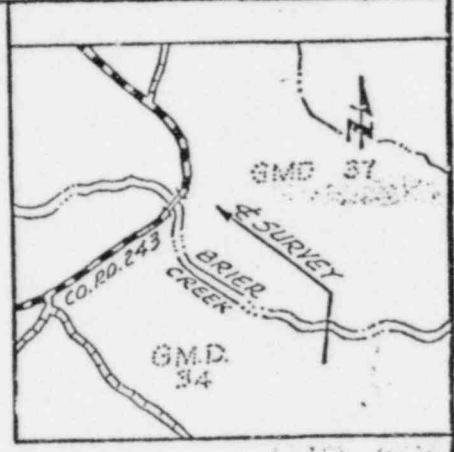
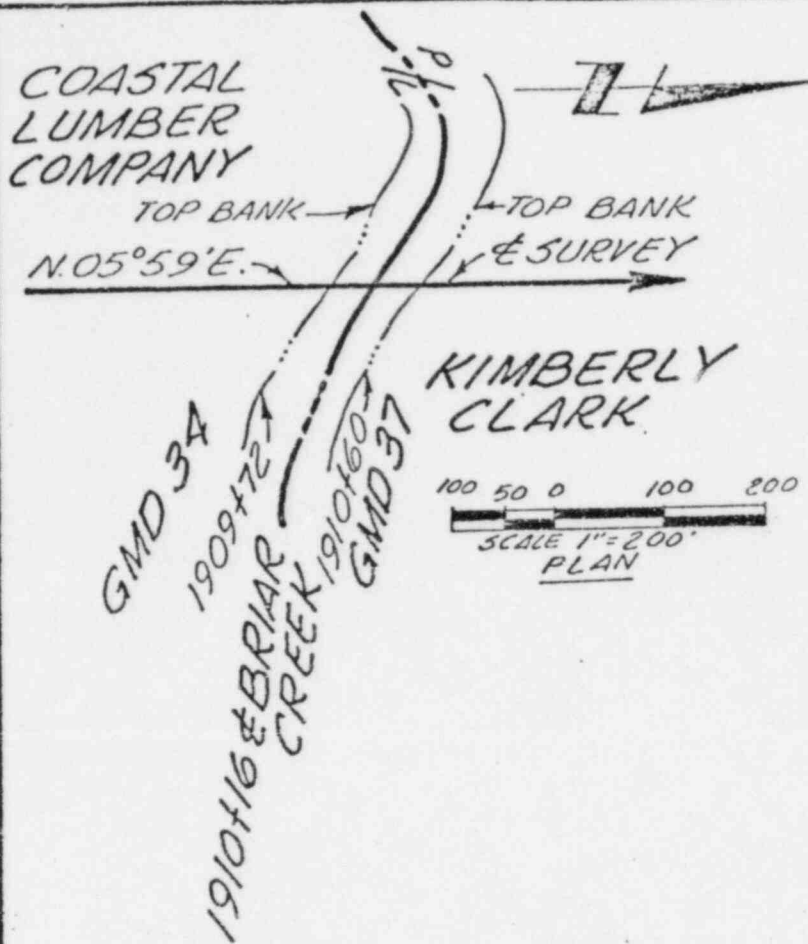
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PROPOSED OVERHEAD WIRE CROSSING
BRIAR CREEK
AT SYLVANIA
GMD 34 & 37
SCREVEN COUNTY, GA.
APPLICATION BY: GEORGIA POWER CO.

DRAWN BY _____	DATE <u>AUG. 1984</u>	REVISIONS <u>Nov, 1984,</u>	NUMBER _____
TRACED BY <u>M.FORTUNE</u>	SCALE <u>AS SHOWN</u>		<u>Z-75-26</u>
APPROVED _____			

GEORGIA POWER COMPANY - ATLANTA, GEORGIA LAND DEPARTMENT

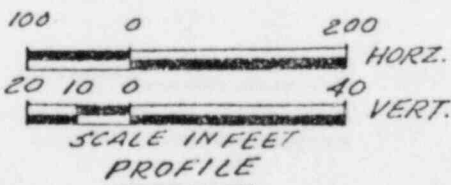
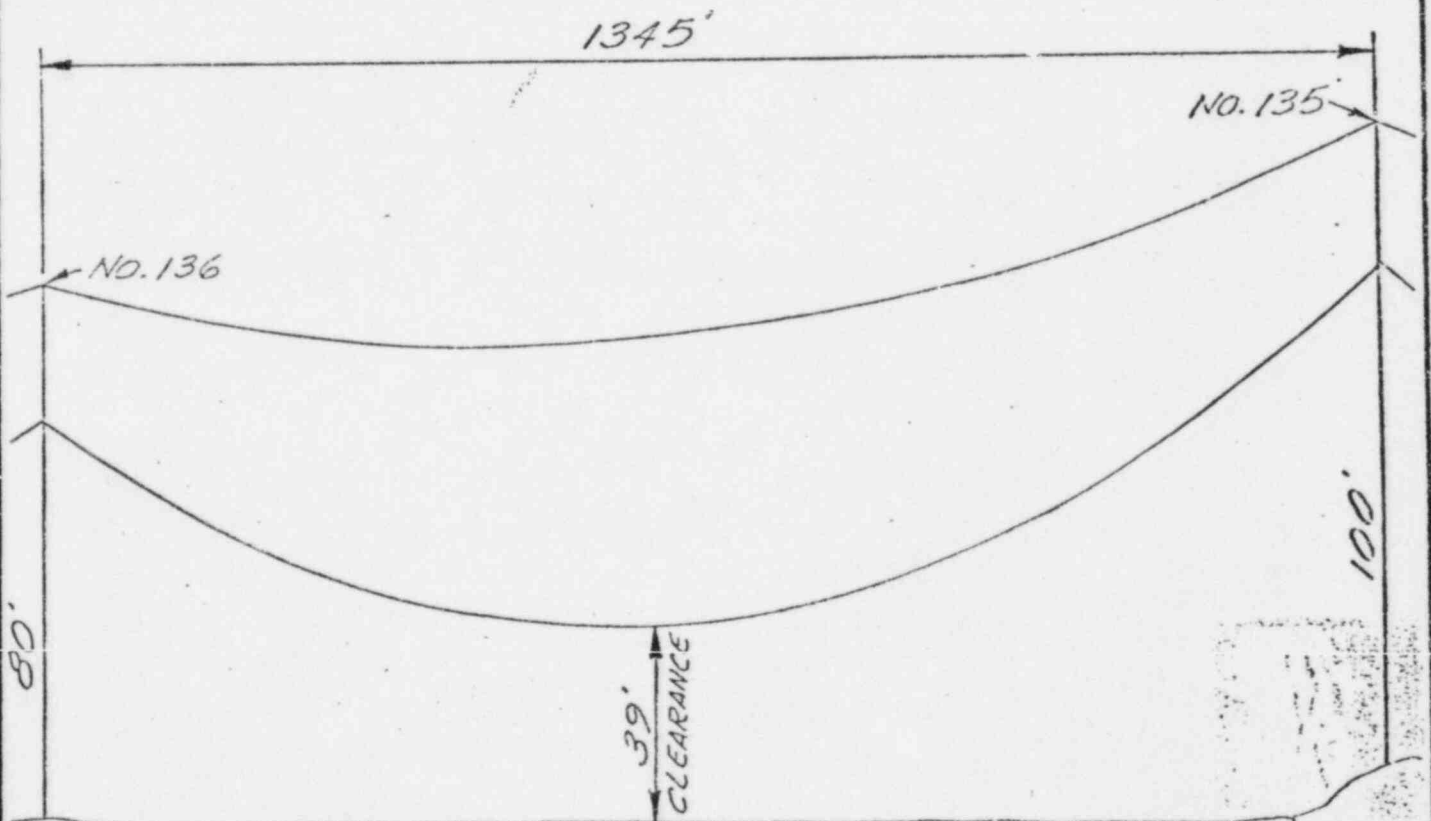
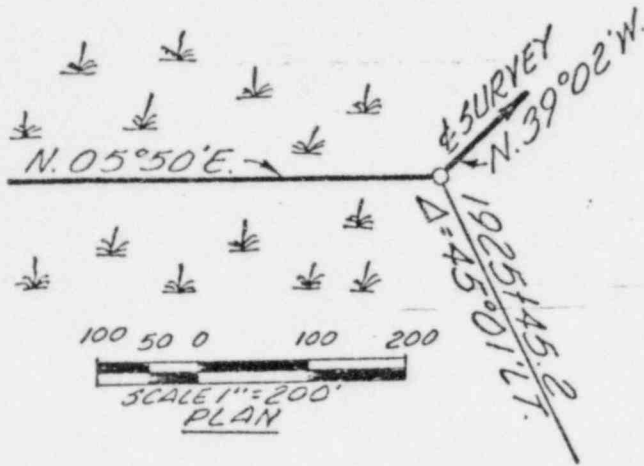


PROPOSED OVERHEAD WIRE CROSSING
BRIAR CREEK
AT SYLVANIA
GMD 34 & 37
SCREVEN COUNTY, G.A.
APPLICATION BY: GEORGIA POWER CO.

DRAWN BY _____ TRACED BY <u>M. FORTUNE</u> APPROVED _____	DATE <u>AUG, 1984</u> SCALE <u>AS SHOWN</u>	REVISIONS <u>Nov, 1984,</u>	NUMBER <u>Z-75-26</u>
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GEORGIA POWER COMPANY · ATLANTA, GEORGIA
LAND DEPARTMENT

KIMBERLY CLARK



PROPOSED OVERHEAD WIRE CROSSING
BRIAR CREEK
AT SYLVANIA
GMD 34 & 37
SCREVEN COUNTY, GA.
APPLICATION BY: GEORGIA POWER CO.

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

REVISIONS Nov. 1984

NUMBER

2-75-26

Extract of Section 10 of the River and Harbor Act of 1899:

33 § 403

NAVIGABLE WATERS

Ch. 9

§ 403. Obstruction of navigable waters generally; wharves; piers, etc.; excavations and filling in

The creation of any obstruction not affirmatively authorized by Congress, to the navigable capacity of any of the waters of the United States is prohibited; and it shall not be lawful to build or commence the building of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty, or other structures in any port, roadstead, haven, harbor, canal, navigable river, or other water of the United States, outside established harbor lines, or where no harbor lines have been established, except on plans recommended by the Chief of Engineers and authorized by the Secretary of the Army; and it shall not be lawful to excavate or fill, or in any manner to alter or modify the course, location, condition, or capacity of, any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of the Army prior to beginning the same. Mar. 3, 1899, c. 425, § 10, 30 Stat. 1151.

Extract of Section 12 of the River and Harbor Act of 1899:

§ 406. Penalty for wrongful construction of bridges, piers, etc.; removal of structures

Every person and every corporation that shall violate any of the provisions of sections 401, 403, and 404 of this title or any rule or regulation made by the Secretary of the Army in pursuance of the provisions of section 404 of this title shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$2,500 nor less than \$500, or by imprisonment (in the case of a natural person) not exceeding one year, or by both such punishments, in the discretion of the court. And further, the removal of any structures or parts of structures erected in violation of the provisions of the said sections may be enforced by the injunction of any district court exercising jurisdiction in any district in which such structures may exist, and proper proceedings to this end may be instituted under the direction of the Attorney General of the United States. Mar. 3, 1899, c. 425, § 12, 30 Stat. 1151; Feb. 20, 1900, c. 23, § 2, 31 Stat. 32; Mar 3, 1911, c. 231, § 291, 36 Stat. 1167.

Extract of Section 13 of the River and Harbor Act of 1899:

§ 407. Deposit of refuse in navigable waters generally

It shall not be lawful to throw, discharge, or deposit, or cause, suffer, or procure to be thrown, discharged, or deposited either from or out of any ship, barge, or other floating craft of any kind, or from the shore, wharf, manufacturing establishment, or mill of any kind, any refuse matter of any kind or description whatever other than that flowing from streets and sewers and passing therefrom in a liquid state, into any navigable water of the United States, or into any tributary of any navigable water from which the same shall float or be washed into such navigable water; and it shall not be lawful to deposit, or cause, suffer, or procure to be deposited material of any kind in any place on the bank of any navigable water, or on the bank of any tributary of any navigable water, where the same shall be liable to be washed into such navigable water, either by ordinary or high tides, or by storms or floods, or otherwise, whereby navigation shall or may be impeded or obstructed: Provided, That nothing herein contained shall extend to, apply to, or prohibit the operations in connection with the improvement of navigable waters or construction of public works, considered necessary and proper by the United States officers supervising such improvement or public work: And provided further, That the Secretary of the Army, whenever in the judgment of the Chief of Engineers anchorage and navigation will not be injured thereby, may permit the deposit of any material above mentioned in navigable waters, within limits to be defined and under conditions to be prescribed by him, provided application is made to him prior to depositing such material; and whenever any permit is so granted the conditions thereof shall be strictly complied with, and any violation thereof shall be unlawful. Mar. 3, 1899, c. 425, § 13, 30 Stat. 1152.

Extract of Section 16 of the River and Harbor Act of 1899:

§ 411. Penalty for wrongful deposit of refuse; use of or injury to harbor improvements, and obstruction of navigable waters generally

Every person and every corporation that shall violate, or that shall knowingly aid, abet, authorize, or instigate a violation of the provisions of sections 407, 408, and 409 of this title shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$2,500 nor less than \$500, or by imprisonment (in the case of a natural person) for not less than thirty days nor more than one year, or by both such fine and imprisonment, in the discretion of the court, one-half of said fine to be paid to the person or persons giving information which shall lead to conviction. Mar. 3, 1899, c. 425, § 16, 30 Stat. 1153.

Extract of Section 15 of the River and Harbor Act of 1899:

EXCERPT FROM TITLE 33 USC

§ 409. Obstruction of navigable waters by vessels; floating timber; marking and removal of sunken vessels

It shall not be lawful to tie up or anchor vessels or other craft in navigable channels in such a manner as to prevent or obstruct the passage of other vessels or craft; or to voluntarily or carelessly sink, or permit or cause to be sunk, vessels or other craft in navigable channels; or to float loose timber and logs, or to float what is known as "sacksrafts of timber and logs" in streams or channels actually navigated by steamboats in such manner as to obstruct, impede, or endanger navigation. And whenever a vessel, raft, or other craft is wrecked and sunk in a navigable channel, accidentally or otherwise, it shall be the duty of the owner of such sunken craft to immediately mark it with a buoy or beacon during the day and a lighted lantern at night, and to maintain such marks until the sunken craft is removed or abandoned, and the neglect or failure of said owner so to do shall be unlawful; and it shall be the duty of the owner of such sunken craft to commence the immediate removal of the same, and prosecute such removal diligently, and failure to do so shall be considered as an abandonment of such craft, and subject the same to removal by the United States as provided for in sections 411-416, 418 and 502 of this title. (3 Mar 1899, c. 425, Par 15, 30 Stat. 1152)

Extract of Section 16 of the River and Harbor Act of 1899:

Ch. 9

PROTECTION OF WATERS

§ 412. Liability of masters, pilots, and so forth, and of vessels engaged in violations

Any and every master pilot, and engineer, or person or persons acting in such capacity, respectively, on board of any boat or vessel who shall knowingly engage in towing any scow, boat, or vessel loaded with any material specified in section 407 of this title to any point or place of deposit or discharge in any harbor or navigable water, elsewhere than within the limits defined and permitted by the Secretary of the Army, or who shall willfully injure or destroy any work of the United States contemplated in section 408 of this title, or who shall willfully obstruct the channel of any waterway in the manner contemplated in section 409 of this title, shall be deemed guilty of a violation of sections 401, 403, 404, 406, 407, 408, 409, 411-416, 418, 502, 549, 686, and 687 of this title, and shall upon conviction be punished as provided in section 411 of this title, and shall also have his license revoked or suspended for a term to be fixed by the judge before whom tried and convicted. And any boat, vessel, scow, raft, or other craft used or employed in violating any of the provisions of sections 407, 408, and 409 of this title shall be liable for the pecuniary penalties specified in section 411 of this title, and in addition thereto for the amount of the damages done by said boat, vessel, scow, raft, or other craft which latter sum shall be placed to the credit of the appropriation for the improvement of the harbor or waterway in which the damage occurred, and said boat, vessel, scow, raft, or other craft may be proceeded against summarily by way of libel in any district court of the United States having jurisdiction thereof. Mar. 3, 1899, c. 425, Par 16, 30 Stat. 1153.



This notice of authorization must be
conspicuously displayed at the site of work.

United States Army Corps of Engineers

19 85

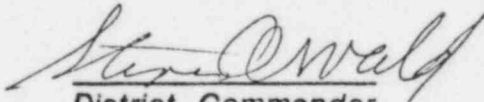
A permit to construct a 500KV transmission line
at Ebenezer Creek, 0.6 miles upstream from Savannah River near Rincon,
Effingham County, Georgia.

has been issued to Georgia Power Company on 28 Feb 19 85

Address of Permittee P.O. Box 4545 Atlanta, GA 30302

Permit Number

074 OYN 005712


District Commander
for Daniel W. Christman
Colonel, Corps of Engineers

Application No. 074 QYN 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.

at a location approximately 0.6 mile upstream from where the creek intersects the Savannah River in Effingham County near Rincon, 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 unreasonable interference with navigation by the exercise 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 (ten 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

2-25-85

RONALD C. KESTER

DATE

Vice President - Land

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Stephen Oswald

2/28/85

For: DANIEL W. CHRISTMAN

DATE

Colonel
DISTRICT ENGINEER,
U.S. ARMY, CORPS OF ENGINEERS

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

TRANSFEEEE

DATE

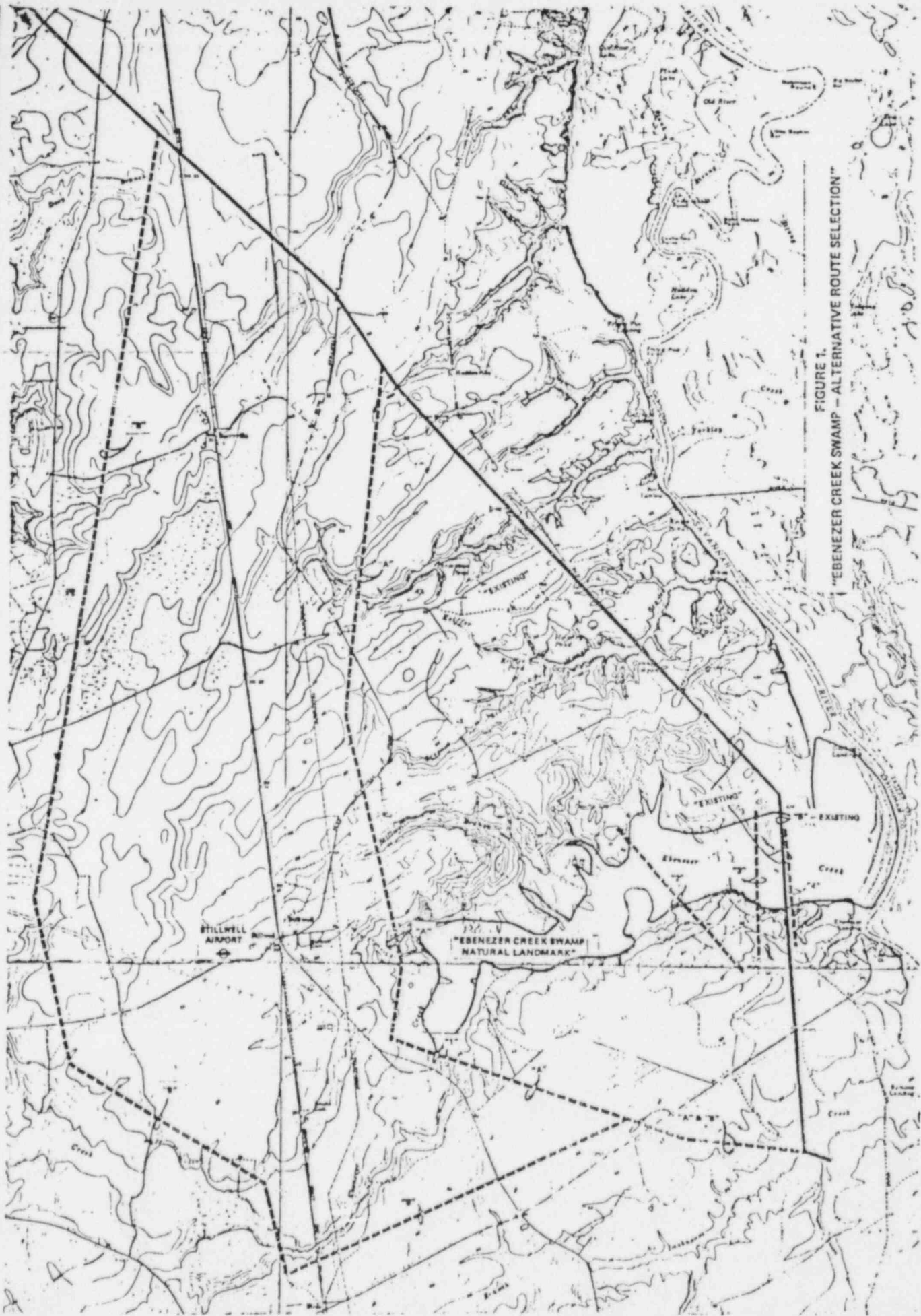
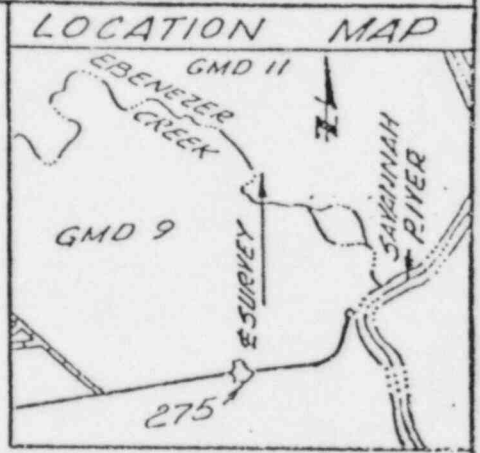
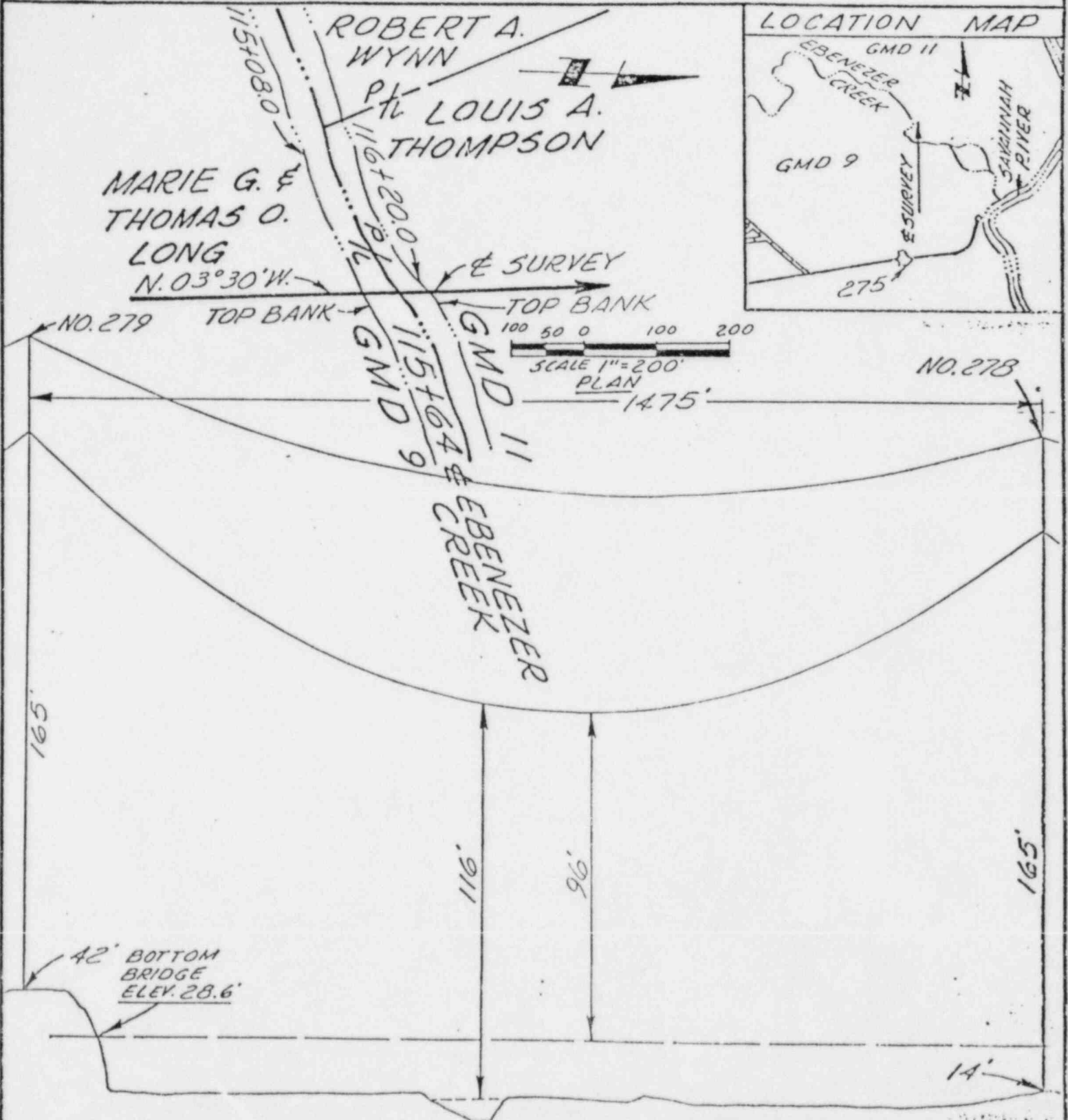


FIGURE 1
"EBENEZER CREEK SWAMP - ALTERNATIVE ROUTE SELECTION"

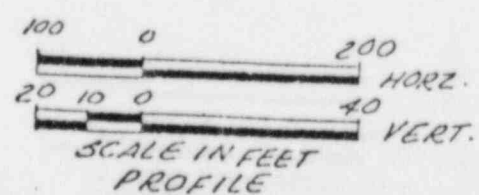
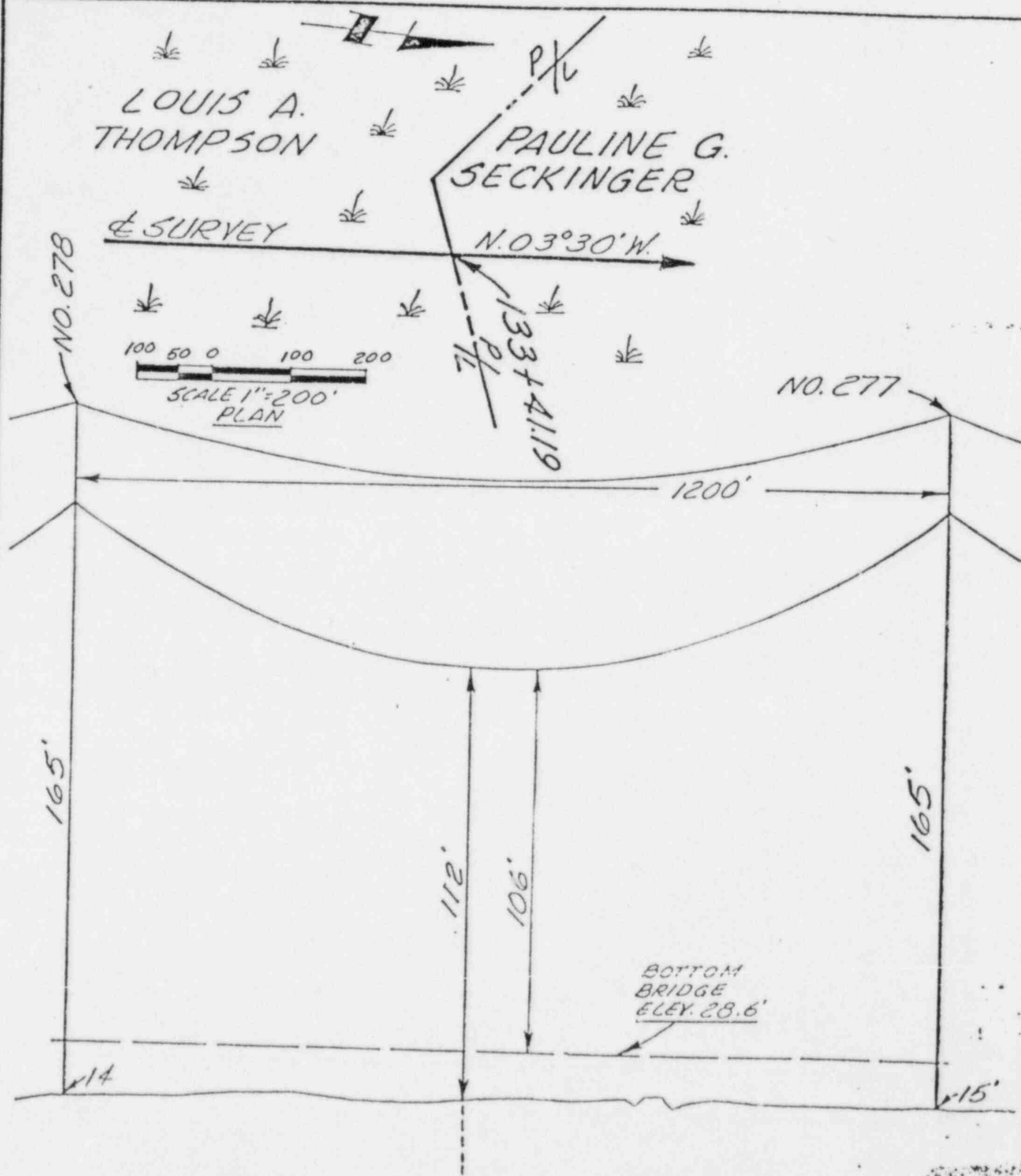
GEORGIA POWER COMPANY - Aⁿ ANTA, GEORGIA
 LAND DEPARTMENT



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 <i>M. FORTUNE</i>	<i>NOV, 1984</i>		<i>Z-75-25</i>
APPROVED	SCALE		
	<i>AS SHOWN</i>		

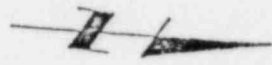
GEORGIA POWER COMPANY - ATLANTA, GEORGIA
 LAND DEPARTMENT



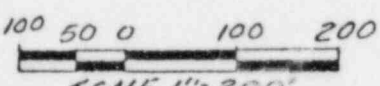
DRAWN BY	DATE	REVISIONS	NUMBER
TRACED BY M. FORTUNE	NOV, 1984	SCALE AS SHOWN	7-75-95

GEORGIA POWER COMPANY - ATLANTA, GEORGIA
LAND DEPARTMENT

PAULINE G. SECKINGER



SURVEY N.03°30'W

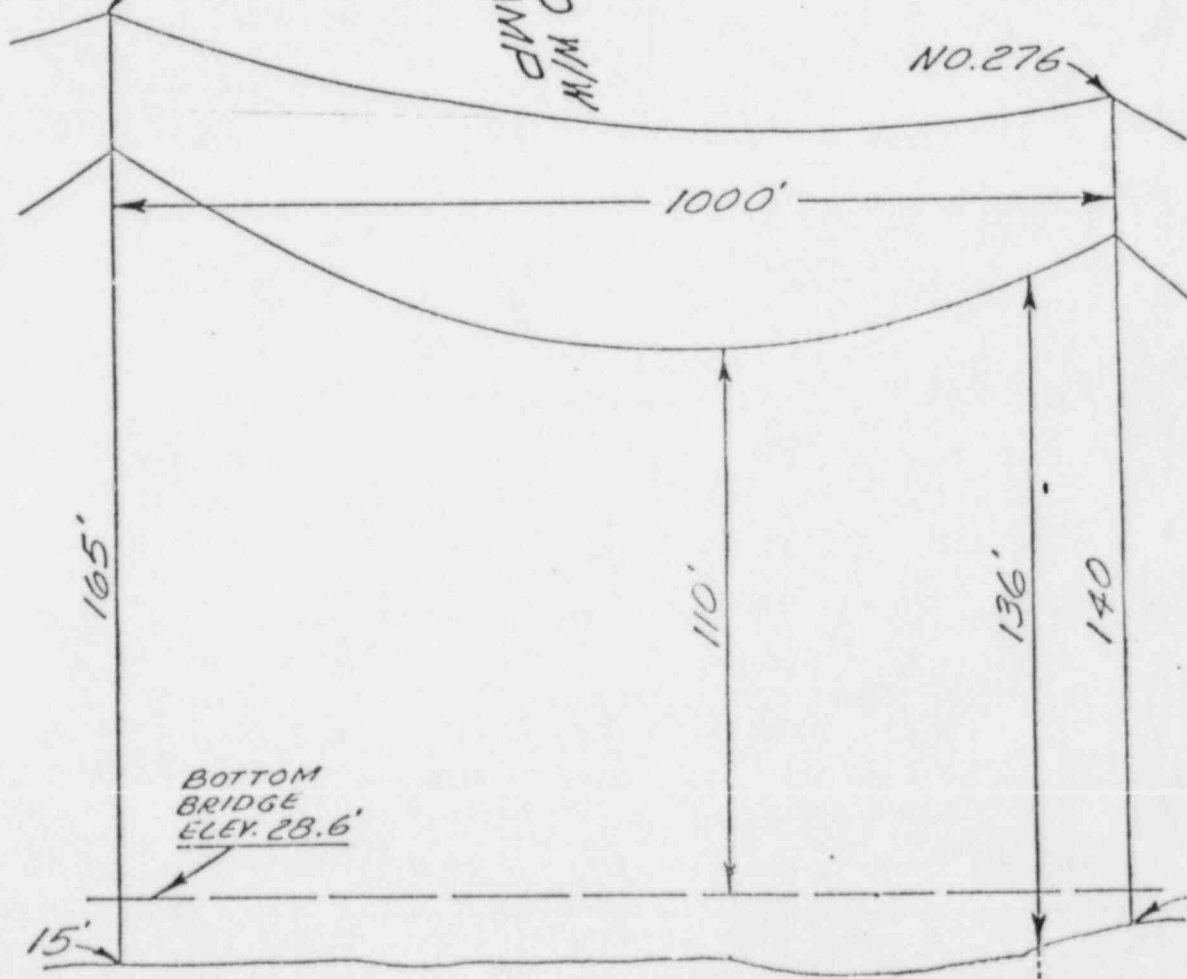


SCALE 1"=200'
PLAN

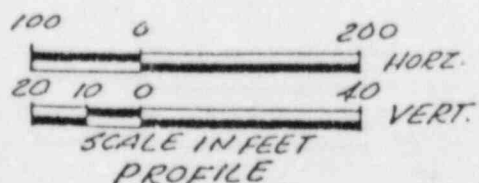
NO. 277

145+14 END W/W
SWAMP

NO. 276



BOTTOM
BRIDGE
ELEV. 28.6'



SCALE IN FEET
PROFILE

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

DRAWN BY _____	DATE <u>Nov., 1984</u>	REVISIONS _____	NUMBER _____
TRACED BY <u>M. FORTUNE</u>	SCALE <u>AS SHOWN</u>		<u>Z-75-25</u>
APPROVED _____			