

SOUTH CAROLINA ELECTRIC & GAS COMPANY

COLUMBIA, SOUTH CAROLINA

SALUDA HYDROELECTRIC PROJECT

FERC NO. 516

LAKE MURRAY SHORELINE MANAGEMENT HANDBOOK AND PERMITTING GUIDELINES

DRAFT

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FEBRUARY 2009

Prepared by:

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Energy & Water Resource Consultants

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1.0 INTRODUCTION

The work of clearing the site for the Saluda River Hydroelectric Development was started in April of 1927 under a permit granted by the Federal Power Commission to the Lexington Water Power Company. In July of 1930 Lake Murray reached an elevation of 300' Plant Datum (PD). The following December, the first electric power, 10,000 kilowatts, was delivered.

At the time of its completion, Saluda Dam was the largest earthen dam for power purposes in the world. The dam itself is 213 feet high and contains over 11 million cubic yards of material. Lake Murray is approximately 41 miles long with a maximum width of 14 miles and contains 650 billion gallons of water. It has a shoreline of approximately 691 miles including the islands.

Lake Murray experiences considerable water level fluctuations. In the Saluda River watershed, about 75 percent of the normal rainfall comes in the first six months of the calendar year. The full pool lake level can reach 360' PD; however the normal high lake level is approximately 358' PD. Saluda Hydro is primarily used by South Carolina Electric & Gas Company (SCE&G) to provide reserve generation in response to system emergencies. However, the reservoir is also managed in a manner that provides appropriate downstream flows and responds to pass inflows from precipitation within the drainage basin. More information on operations can be found at www.sceg.com/en/my-community/lower-saluda-river.

Over the years, Lake Murray has been, and still is, a major source of power generation and provider of recreational and commercial resources for South Carolina residents and visitors. In the late 1960's a rapid change in the character and rate of development began to take place. Today, there are numerous formal recreation sites dispersed around Lake Murray that support

boat launches, marinas, boat slips, wet and dry storage, campgrounds, picnic areas, beaches, fishing areas and piers, trails, and playgrounds. The irregular shoreline perimeter, with its numerous forested peninsulas, inlets and islands, provides excellent outdoor recreational opportunities. The shoreline also supports many permanent residences.

As development increases, however, the very values that attract families and visitors to the lake may be threatened unless a substantial effort is made to protect the lake environment from degradation. South Carolina Electric & Gas Company (SCE&G), as owner and licensee of Federal Energy Regulatory Commission Project No. 516, realizes the need for formulation of rules and regulations to promote and enhance the recreational potential of Lake Murray and protect its environmental quality.

SCE&G manages its lands around Lake Murray according to a Shoreline Management Plan (SMP) and the Shoreline Management Handbook and Permitting Guidelines (Handbook), both of which are designed to comply with the terms of the Project License, regulations, and FERC orders. The aim is to provide a balance among shoreline development, recreational use, and environmental protection. A component of the SMP is SCE&G's Permitting Program, which is operated in compliance with a general permit (GP) issued to SCE&G by the US Army Corps of Engineers and the South Carolina Department of Health and Environmental Control (SCDHEC), pursuant to the Clean Water Act (CWA), and the FERC license. The GP authorizes SCE&G to be the residential permitting authority for the lands comprising Lake Murray's shoreline. Project applicants and lake users must obtain the appropriate permit(s) for various activities and developments, and must adhere to the established regulations that help protect the lake shoreline and waters. SCE&G's Lake Management Department is responsible for enforcing FERC directives regarding authorized and unauthorized uses of Lake Murray waters and land within the project boundary. FERC directives require SCE&G to prevent or halt unauthorized actions by taking measures to stop such actions.

This Handbook details guidelines and policies protecting the Lake Murray shoreline and waters, and the specifics of SCE&G's Permitting Program. More information is available by contacting the Lake Management Department. It is a requirement to consult with the Lake Management Department before beginning any project around the lake. The telephone number for the Lake Management Department is (803) 217-9221.

2.0 LAND USE CLASSIFICATIONS

SCE&G has identified five distinct land management classifications for the land within the Project boundary line (PBL). Although SCE&G aims to manage its lands according to this classification system, the public has the right of entry on SCE&G-owned lands within the Project Boundary Line regardless of classification, with the exception of lands reserved and used for Project operations and certain leased properties that are operated under a fee agreement. The classifications, which are described below, consist of Multi-purpose, Public Recreation, Forest Management, Natural Areas, and Project Operations.

2.1 Multi-Purpose

Multi-purpose lands include lands owned by SCE&G, lands sold by SCE&G, and lands never owned by SCE&G but over which SCE&G retained certain easement rights. All of these lands are contained within the PBL. Generally, SCE&G divides them into four sub-classifications: easement, commercial, buffer zone, and future development lands.

2.1.1 Easement

Lands that SCE&G has sold/or never owned but holds and retains easements on within the PBL. These lands may support a variety of uses including privately run commercial ventures and residential developments.

2.1.2 Commercial

SCE&G manages lands within this sub-classification primarily through its permitting program, which guides new or modified developments (e.g., expansion of existing facilities) as detailed in this document (see Section 7.0). Such uses include the following:

- Commercial and private marinas and boat clubs (for-profit and nonresidential);

- Commercial docks, boat ramps, bulkheads, and other supporting facilities;
- Commercial RV parks, hotels, resorts, bait shops, boat tours, etc.;
- Restaurants with shoreline access such as docks, decks, etc.;
- Golf courses with lake access facilities; and
- Industrial facilities.

2.1.3 Buffer Zone

A 75-foot wide¹ vegetated buffer zone, located between the 360' PD contour and the back property development, is maintained adjacent to all easement lands sold by SCE&G after the issuance of the 1984 license. SCE&G maintains the Buffer Zone lands as vegetated areas intended to protect and enhance the Project's scenic, recreational, and environmental values in the area bordering the Lake Murray shoreline. SCE&G will manage Buffer Zones associated with lands sold after 2007 as non-disturbance areas.

Use of SCE&G's buffer zone is entirely at the discretion of SCE&G as landowner. Owners of adjoining lands (back property owners) are given the right of access, by foot, to and from the lake through the buffer zone, but are not permitted to encroach on the land without written consent from SCE&G (see Section 7.11 for information on prohibited activities in the Buffer Zones). For lands sold after 2007, lake access for back property owners is limited to a narrow meandering path in accordance with a dock permit and as specified in Section 7.13. See Section 7.14 for further information regarding limited brushing. Access to Buffer Zone lands by the public is allowed for passive activities such as bird and wildlife viewing, and shoreline fishing. However, prohibitive uses include overnight camping, building fires, hunting, discharge of firearms, motorized vehicles, or any activity that may adversely impact the land.

¹ There are some areas where the width of the land between the 360' PD contour and the PBL is less than 75', and thus the buffer zone is less than 75'.

2.1.4 Future Development

Lands classified as future development are SCE&G-owned and located between the 360' PD contour and the PBL. They are available for sale only to the back property owner with certain restrictions encompassed in SCE&G's permitting program, as detailed in this document (See Section 7.0, Figure 2-1, and Figure 2-2), and as regulated by FERC.

2.2 Public Recreation

Recreation lands include existing parks, properties set aside for future recreation, and publicly available islands owned by SCE&G. SCE&G manages the areas individually based on the specific, designated recreational activities they support, including swimming, picnicking, and boat launching. Dreher Island State Park is the only public site that provides formal camping; however, individuals can also camp on SCE&G-owned islands and other lands such as Bundrick Island, River Bend, and Sunset, unless otherwise posted.

2.3 Forest Management

Forest Management lands have been set aside for compatible recreation, scenic, aesthetic, and timber management purposes. SCE&G forest resources are managed according to the South Carolina Forestry Commission's Best Management Practices. SCE&G restricts its timber management operations in certain areas, such as on cliffs or steep slopes, or in atypical groups of trees.

2.4 Natural Areas

Natural areas consist of lands that warrant special protection because they provide important habitat for various wildlife species, including the recreational fishery. Shallow, shoreline waters; large wetland areas; areas having cultural and/or historical significance; and Environmentally Sensitive Areas (ESAs) are included in the natural areas classification and are protected.

ESAs are areas that have been designated as warranting special protection because they contain one or more of a variety of characteristics. They consist of habitat areas known to be occupied by rare, threatened, or endangered species; rare or exemplary natural communities; significant land forms and geological features; wetlands and shallow coves; and other areas determined to be critical to the continued existence of native species, such as spawning and nesting habitat. SCE&G has identified five types of

ESAs, which are described in more detail in the SMP and are summarized here. They consist of the following:

- 1) **Continuous Vegetated Shoreline**, which is vegetated land composed primarily of buttonbush and willow species for at least 66 feet of linear shoreline length.
- 2) **Intermittent Vegetated Shoreline**, which is vegetated shoreline at least 66 feet in length where between 16 and 40 percent of the length is composed of gaps of unvegetated land measuring more than 20 feet long.
- 3) **Shallow Coves with Stream Confluences where streams enter the lake and** form coves and lake water is above the 355' PD contour line.
- 4) **Bottomland Hardwood** consisting of continuous linear shoreline at least 66 feet in length with coverage of bottomland hardwood.
- 5) **Wet Flats** consisting of continuous linear shoreline at least 66 feet in length with coverage of wet flats.
- 6) **Shallow shoals and rocky shores** generally consist of submerged ridges and hill tops located above the 352' PD contour.

Natural Areas are not available for sale, and docks, excavations, and shoreline activity are not permitted in these areas. Also, ESAs have protective non-disturbance setbacks associated with them where vegetation clearing and developments including docks and other structures are prohibited, see Section 7.12 for more information on ESAs. No docks (Figure 2-3), excavations, or other developments are allowed within 50 feet of the ESA. After 2007, changes to the SMP prohibit brushing of any sort within newly established 75-ft buffer zones.

2.5 Project Operations

SCE&G-owned and managed lands are required for operation of the Saluda Project. Public access to these lands is restricted to ensure public safety or to assure the security of the infrastructure system.

3.0 ENVIRONMENTAL POLICIES

3.1 General Policy and Purpose

The Lake Murray Shoreline Management Plan shall maintain and conserve the area's natural and human-made resources.

The purpose of the policy is to comply with the terms of the Project No. 516 License, the regulations, and the orders of the FERC, while providing recreational opportunities and environmental protections.

3.2 Water Quality Standards

SCE&G will conduct a continuing water quality monitoring program at Lake Murray. SCDHEC classifies Lake Murray's waters as "Freshwater," which means they are suitable for swimming, fishing, and other water-related recreational activities.

3.3 Effluent Discharges

Lake Murray is classified as a "no sewage discharge" lake. SCE&G personnel will continue to notify appropriate government officials of any unauthorized effluent discharges which are discovered by SCE&G personnel or others. Anyone found to have an unauthorized discharge source within the project boundary line will be required to remove it.

Commercial public marinas providing facilities to remove effluent wastes from boats must meet SCDHEC regulations. See requirements for marinas in Section 7.2.5.

3.4 Aquatic Plants

Invasive and exotic aquatic plants can become a significant nuisance to recreation and project operations if their populations are not properly maintained. Some of the common problem species found in Lake Murray include hydrilla, water primrose, and several species of pondweed. When managing invasive and exotic aquatic plants it is

important to also protect the native plant species, aquatic ecosystems, and fish habitat. This requires the integration and use of specific Best Management Practices (BMPs) appropriate to the regional and local conditions.

SCE&G's Lake Management Department, in cooperation with the South Carolina Aquatic Plant Management Council, manages the Aquatic Weed Program on Lake Murray. Because aquatic weed control techniques can harm fish and native plant species, it is unlawful, per state and federal regulations, for individuals to spray or treat aquatic plant growth with herbicides in the waters of Lake Murray. Thus, SCE&G asks that any aquatic vegetation problems recognized by lake visitors or back property owners be reported to SCE&G's Lake Management Department and the SCDNR. In addition, to help curb the spread of invasive aquatic species, SCE&G asks that lake users remove all vegetation from boats and trailers before and after placing them into the waters of Lake Murray.

3.5 Undeveloped Areas

Undeveloped SCE&G-owned land around the lake is managed by the Land Department. These properties will be maintained through a sound forest management program to ensure forest health. SCE&G will manage timber in a multiple use manner in compliance with the S. C. Forestry Commission Best Management Practices to maintain a balance of quality watershed conditions, recreational opportunities, wildlife habitat, and promotion of new timber growth.

3.6 Wildlife and Game Management

Portions of Project lands may be leased to the SCDNR as part of the statewide Wildlife Management Area (WMA) Program. If leased to SCDNR, they are open to the public for hunting or other recreational activities in accordance with WMA regulations. These lands are discussed in further detail in Section 5.3.

4.0 EXCLUSION ZONE

Lands categorized as Project Operations house the various Project facilities, buildings, and structures. Public access to these lands is restricted to ensure public safety or to assure the security of the infrastructure systems. These areas include but are not limited to Project powerhouse, spillway, intake towers and associated lands.

5.0 PUBLIC FISHING, BOATING & HUNTING

The SCDNR is responsible for enforcing state rules and regulations regarding fishing, boating, and hunting activities at Lake Murray. Recreators are encouraged to contact SCDNR at the following address and/or visit their website for information regarding regulations of these activities.

South Carolina Department of Natural Resources
Division of Law Enforcement
1000 Assembly Street
Columbia, South Carolina 29201
800.922.5431
<http://www.dnr.sc.gov>

5.1 Fishery Management

The SCDNR maintains an annual stocking program in Lake Murray and the lower Saluda River. Since 1971, over 30 million striped bass have been stocked in Lake Murray at annual rates varying from a low of 8,800 in 1986 to a high of 1,771,761 in 1983. SCDNR maintains an active trout fishery in the lower Saluda River through stocking of sub-adult rainbow and brown trout. Trout are not native to the lower Saluda River. The total number of trout stocked annually averages around 35,000, with variation based primarily on availability of fish from the Walhalla State Fish Hatchery. Anglers are required to abide by state fishing and safety regulations, which are available through SCDNR at the address above. Anglers in the Lower Saluda River must be aware of the possibility of rapidly rising waters at any time that occur because of releases from the Project. Anglers should be prepared, in advance of entering the river, for the possibility of needing to exit the river quickly because of rapidly rising waters. Current and planned generation information may be found at <http://www.sceg.com/en/my-community/lower-saluda-river>.

5.2 Boating Safety

Buoys, signs, and access restrictions may be placed throughout the project as part of the Public Safety Plan, which is on file with FERC. Public safety measures include warning signs near hazardous areas of the project, buoys in the impoundment that serve to warn or inform boaters of conditions that warrant caution, and restraining devices such as fences around the powerhouse and downstream project area.

Due to Project operation and climatic conditions, the water level of Lake Murray can fluctuate. Changes in depth may affect boating conditions and overhead power-line clearances. These aspects of the aquatic environment make it important for boaters and other recreators to assume a high degree of personal responsibility for their own safety by being aware and cautious, and by following posted warnings. Boaters should always approach power-lines with caution. In addition, recreators must follow the SCDNR's boating rules and regulations. These rules and regulations are available through SCDNR at the address above. Boaters in the lower Saluda River should be aware of the possibility of rapidly rising water that occurs because of releases from the Project at any time. Boaters should be prepared, in advance of entering the river, for the possibility of needing to exit the river quickly because of rapidly rising waters. Current and planned generation information may be found at <http://www.sceg.com/en/my-community/lower-saluda-river>.

5.3 Public Hunting

Approximately 6,000 acres of watershed land within and adjacent to the Project are leased to the SCDNR by SCE&G as a part of the statewide Wildlife Management Area (WMA) Program. Most of this land is located adjacent to the western portions of Lake Murray and, in many cases, to other privately held lands that are also in the WMA program. Public hunting areas are shown on WMA maps available from the SCDNR. Boundaries are marked with SCDNR signage. Waterfowl hunting is also available around Lake Murray in accordance with federal and state migratory bird hunting regulations as published annually by SCDNR and applicable county ordinances. Hunters

must familiarize themselves with hunting rules and regulations, which are available from SCDNR at the address above.

6.0 PUBLIC ACCESS

SCE&G owns 15 formal public access sites on Lake Murray and has set aside 62 SCE&G-owned islands in Lake Murray for public recreation. Of the 15 formal recreation sites, SCE&G operates 13 of them, and leases the remaining two sites, Dreher Island State Park and Larry L. Koon Boat Landing, to others for use as public recreation. Information on SCE&G maintained facilities can be found at <http://www.sceg.com/en/my-community/lake-murray/lake-management>. Dreher Island State Park is the only public site to offer overnight uses such as campground facilities and villa rentals; however, individuals can also camp on SCE&G-owned islands and other lands such as Bundrick Island, River Bend, and Sunset, unless otherwise posted.. More information on recreation opportunities including private and commercial recreation sites is available from the South Carolina Department of Parks, Recreation and Tourism (SCDPRT) at www.discoverouthcarolina.com.

7.0 SHORELINE ACTIVITIES/DEVELOPMENT PERMITTING

7.1 General

It is the policy of the SCE&G Lake Management Department to authorize certain private uses of and/or acts upon Project lands by permit when such uses or acts are compatible with the public interest and comply with the requirements of the license for the Project. It is the Company's position that the shorelines of Lake Murray are to be managed and protected in a manner that will protect the environmental and aesthetic integrity of the existing shoreline. The Lake Murray Shoreline Management Plan and the Shoreline Management Handbook and Permitting Guidelines play an integral part in protecting the area's natural and human-made resources.

SCE&G reserves the right to approve final design and placement of docks, marinas, and other permitted activities. Be advised, SCE&G does not guarantee daily or annual usable water access to the waters of Lake Murray. Each lot along the shoreline will have different slopes and contours that will determine water depth in front of the lot. The fluctuation of the reservoir will, at times, limit or restrict the use of some docks on the lake shoreline.

7.2 Docks and Private Access

Prior to initiating any project, property owners must contact SCE&G's Lake Management Department at 803-217-9221 and the appropriate county offices. SCE&G requires that anyone desiring to make major repairs, replace, add to, or construct a dock must file an application for a permit with SCE&G. In addition to the application, the applicant is required to apply to SCE&G in writing and submit the following; a sketch showing the location, design and dimension of the proposed structure, the permitting fee, specific directions by land to applicant's property on Lake Murray, and the plat of the property. Construction shall not begin until written permission has been granted by SCE&G. Dock construction is not to endanger health, create a nuisance, or otherwise be incompatible with overall Project recreation use. Use of common docks will be

encouraged where practical. SCE&G requires that all docks, fixed, floating or combinations, be inspected by SCE&G Lake Management Department, and that an identification decal be prominently displayed on the approved dock. Ultimately, the placement and design of all docks is under the authority of SCE&G Lake Management Department.

The following guidelines apply to permits for the construction, replacement, or addition of any dock. Drawings depicting dock specifications are provided below in the following sections.

7.2.1 Private Individual Docks

As discussed above, the design and final placement of docks is under the discretion of SCE&G Lake Management Department. General requirements for individual docks are as follows and depicted in Figure 7-1, Figure 7-2, Figure 7-3 and Figure 7-4.

Easement Property:

- A minimum lot width of 100 feet (200 feet for a slip dock) along the 360' PD contour is required before an individual residential dock application will be considered.
- Lots measuring 50-100 feet in width platted prior to 1989 where the adjacent lots have existing docks may be considered for limited size docks.

Pre-2007 SCE&G Owned Future Development Property:

- Where a SCE&G owned buffer zone exists, a minimum lot width of 100 feet (200 feet for a slip dock) at the common boundary line is required.

Post-2007 SCE&G Owned Future Development Property:

- Where a SCE&G owned buffer zone will be established upon sale of the property with deeded restrictions, a minimum lot width of 200 feet at the common boundary line will be required.
- If property exceeds 400 ft along the PBL a multi-slip dock will be required.

Requirements Applicable to All Docks:

- All docks must be kept in good repair.
- No watercraft exceeding 34 feet in length can be permanently docked at a residential or common dock and may not interfere with navigation nor exceed more than 1/3 the distance across the cove at the PBL.
- Private docks, whether fixed, floating, or any combination of the two, generally cannot exceed 750 sq. feet in overall size and 75 feet in length and may not interfere with navigation (exceeds no more than 1/3 the distance across a cove or channel) or restrict access to adjoining property.
- Floating docks may be moved out as the lake level recedes provided they do not interfere with an adjacent property owner's access and may not interfere with navigation.
- Docks may be longer where conformity with existing structures would be practical and in cases where exception would be desirable due to curvature or slope of the shoreline.
- All fixed walkways must be built above the 360'PD contour.
- Docks must be located a minimum of 15 feet from adjacent property iron and the proposed dock extension should not cross over the imaginary projected property lines. The projection of the imaginary property line is a management tool to assist Lake Management Representatives and may be waived under certain

circumstances. Final dock location will be determined by SCE&G Lake Management Personnel.

- Covers on docks are not permissible unless the covered portion is located within 16 feet of the 360' PD contour.
- Hand railings are permissible provided the sides are not enclosed.
- Flotation for docks must be approved encased or encapsulated flotation.
- No permanent screening or enclosures are permitted on docks or gazebos.
- Docks must be single story structures.
- Docks may be allowed in intermittent ESAs at limited locations per the discretion of SCE&G Lake Management Department. Docks are prohibited in continuous ESAs.
- All docks must be at least 50 feet from an ESA, unless otherwise approved by SCE&G.

7.2.2 Private Common Docks

Common docks are encouraged and may be mandated in certain circumstances as an alternative to individual docks. A common dock may be permitted for any two adjacent residential lots. On Easement and Pre-2007 SCE&G owned future development properties, each property owner participating in a common dock must have a minimum of 75 feet along the 360' PD contour or 75-ft buffer zone. On Post-2007 SCE&G owned future development properties each property owner must own 150' along the SCE&G buffer zone. Private common docks shall follow all of the guidelines described for private individual docks. Examples of common dock layout are provided in Figure 7-5, Figure 7-6, Figure 7-7 and Figure 7-8.

7.2.3 Community Access Areas – Boat Ramps and Courtesy Docks

A community access area consists of a boat ramp and courtesy dock open to property owners within a lakeside development who have deeded lake access. General requirements for a community access development are as follows and depicted in Figure 7-9, Figure 7-10 and Figure 7-11.

- Initial consultation and site inspection by a SCE&G Lake Management representative is required for development of community access areas.
- Existing slope and water depth must accommodate any ramp and dock at a minimum lake level elevation of 352' PD.
- Qualification for a Community Boat Ramp will be heavily influenced by evaluations of any necessitated impact to existing trees and other vegetation.
- Lots qualifying for a community access area must have a minimum width of 100 ft along the 360' PD contour or 75 ft buffer zone, whichever applies.
- Community access areas serving more than 50 property/residential units must have an additional 1.5 feet of linear shoreline per additional property/residential unit served.
- Community access areas must be located within the confines of the proposed development with a minimum of 100 feet to the nearest adjoining property, or a buildable lot designated on both sides of the community area with a minimum linear shoreline footage of 100 feet.
- SCE&G requires a letter from the County Zoning Administration stating that the proposed site location meets existing county regulations to construct a community boat ramp or courtesy dock.
- Ramps will be constructed of reinforced concrete and may generally not exceed 12 feet wide.

- Parking areas and turnarounds cannot be located in SCE&G buffer zones, i.e., they must be located above the 75-ft buffer zone. On easement property, a minimum of 50' must be established between the parking area and the 360' PD contour. For buffer zone restrictions see Section 2.1.3 of this document.
- Community access areas serving 10 or fewer property/residential units will meet the established general guidelines for docks, generally permitted up to 750 square feet in size and 75 feet in length. Community access areas serving more than 10 property/residential units may be eligible for a slip dock (see Figure 7-1 for a diagram of a slip dock).
- No destruction or removal of critical shoreline vegetation growing below the 360' PD contour will be permitted for the installation of a boat ramp or dock. Critical vegetation includes, but is not limited to: button bush, willows, and significant hardwood species (consult with SCE&G Lake Management and see Section 7.14 for information on critical vegetation).
- Courtesy docks are only allowed in coves or along waterways that are at least 200 feet wide, measured from the 360' PD contour of the shore to the 360' PD contour of the opposite shore. Clearance between structures on opposing banks may not exceed 1/3 the distance across the waterway.
- All community access docks are approved for short-term day use only. No overnight docking will be allowed.
- Final placement of all docks is at the discretion of SCE&G Lake Management Department.

7.2.4 Private Multi-Slip (Inclusive of Private Boating Clubs)

In lieu of individual docks, multi-slip docks may be permitted based on shoreline footage and other factors (Figure 7-12, Figure 7-13, Figure 7-14 and Figure 7-15). SCE&G requires the developer to establish a homeowner's association to administer the neighborhood multi-slip dock program. Private land owners owning property down to the 360' PD contour (i.e., easement property owners) may voluntarily establish 'Greenspaces' along the shoreline. Because lands sold from the Future Development classification will already have a 75-ft buffer zone associated with them, the concept of Greenspaces does not apply.

Greenspaces established by Easement property owners are undeveloped lands that have been set aside and maintained as naturally vegetated areas. The Greenspace must be deeded to the homeowner's association. SCE&G encourages the homeowner's association to create an environmental stewardship committee within the homeowner's association to help monitor the Greenspace. A Greenspace Plan must be prepared and submitted to SCE&G and the plan should be consistent with SCE&G's buffer zone management guidelines (see Section 2.1.3). The presence of Greenspace is used to help determine eligibility for multi-slip development.

The following specifications apply to private multi slip docks:

- For easement properties and Pre-2007 SCE&G owned future development properties, a minimum of 1000 ft of shoreline footage is required for approval of a multi-slip dock. The number of slips permitted will depend on establishment of Greenspaces along the shoreline:
 - With min. 50 ft Greenspace -Two slips per 100 feet of shoreline.
 - Without Greenspace – Up to 1.5 slips for each 100 feet of shoreline.
 - With ESA but no Greenspace – One slip for each 100 feet of shoreline restricted by an ESA.
 - With 50 ft Greenspace and ESA – 1.5 slips per 100 feet of shoreline restricted by an ESA.
- Developments on Post-2007 SCE&G Future Development lands that have a minimum of 400 feet of property along the PBL will be required to participate in the multi-slip dock program. A maximum of 1.5 slips will be allowed per 200 ft of property measured along the PBL. Property with less than 400 feet will be evaluated for individual or shared docks.
- Fractions of slips for properties *without* a Greenspace will be rounded down to an even number of slips (i.e., between 14 and 15 slips will be rounded down to 14 slips). Fractions of slips for properties *with* Greenspace will be rounded up (i.e., between 14 and 15 slips will be rounded up to 15 slips).
- Multi-slip facilities associated with *less* than 4,000 ft. of shoreline frontage do not require FERC approval. This would include the maximum number of slips without FERC approval per the following classifications:
 - a. Easement Property with a Greenspace – Maximum =80
 - b. Easement Property without a Greenspace – Maximum = 60

c. Pre-2007 SCE&G Owned Future Development Land –
Maximum = 60

d. Post-2007 SCE&G Owned Future Development Land –
Maximum = 36

- No individual dock will be permitted within a multi-slip dock development.
- The outside edge of all multi-slip docks at the 360' PD contour line must be a minimum of 150 feet from the nearest common property line (e.g., adjoining properties), and meet minimum county zoning requirements; whichever provides for greater distance. Docks may not extend more than 1/3 the distance across a cove or channel, as measured from the 360' PD contour of one shore to the 360' PD contour of the opposite shore.
- Access to multi-slip docks must be provided by the developer.
- A narrow, meandering access path may be allowed in the Greenspace and should be identified in the Greenspace Landscape Plan.
- Multi-slip dock facilities that accommodate watercraft with marine sanitation facilities will be required to install, operate, and maintain sewer pump-out disposal systems in accordance with State regulations.
- Final placement of the multi-slip facility will be subject to SCE&G Lake Management approval.

7.2.5 Commercial Public Marinas (Inclusive of Public Boating Clubs)

A Commercial Public Marina is a facility that provides non-discriminatory access for the general public to boat launching facilities, multi-slip docks (i.e. wet storage), dry storage, food, gas, restrooms and/or other amenities, for a fee. A commercial public marina must be independent from any off water development with no reserved docking rights designated for any particular development.

The development and expansion of new or existing commercial docks that are open to the general public for profit will be negotiated on a case-by-case basis. Each permit request will be submitted for review and comment to a Lake Murray commercial public Marina Review Committee (MRC). The MRC is made up of county, state, regional, and federal agency representatives in addition to SCE&G representatives. In addition to the MRC, there shall be a marina advisory committee (MAC) with membership appropriate to represent the residential, commercial, and other non-governmental interests of lakeside property owners. Before any determination by the MRC is made, the plan will be sent to the MAC and their input will be considered. The MAC will have a maximum of 30 days to review and provide input to the MRC. The MRC will have a maximum of 30 days after receiving comments from the MAC to provide comments on the plan. Final approval by SCE&G is required for all marina projects before approval is requested from the Federal Energy Regulatory Commission (FERC).

It is advised that applicants for development of a commercial public marina contact the SCE&G's Lake Management Department for an initial consultation early in the planning stage. In addition to FERC, other federal as well as state agencies have regulatory jurisdiction or resource management responsibilities with regard to the waters and shoreline of Lake Murray. Each agency's specific requirement(s) must be satisfied as a prerequisite to permit issuance for a commercial public marina. A commercial public marina applicant bears all responsibility for determining fully what governmental and other requirements beyond SCE&G's permit are required. Opinions expressed or statements made by SCE&G personnel cannot create a waiver as to any governmental requirements.

Applicants are responsible for all legal and administrative costs associated with SCE&G's preparation of the FERC filing.

An example of the agencies and their role in permitting and regulating development of a commercial public marina is provided in Table 7-1 as reference.

Table 7-1: Agency's Involved in Permitting Process for Commercial Public Marina

AGENCY	CONTACT INFORMATION	REQUIREMENT
County Zoning Administration	(Dependent on county)	Letter certifying that marina site location and activity proposed do not conflict with existing zoning regulations
U. S. Army Corps of Engineers (COE)	69A Hagood Ave. Charleston, S.C. 29403-5107 (843) 329-8100	Section 10 Navigable Waters Permit ² Section 404 of Clean Water Act
S. C. Department of Health and Environmental Control (DHEC)	2600 Bull Street Columbia, S.C. 29201 (803) 898-3300	401 Clean Water Certificate State Navigable Waters Permit
S. C. Department of Natural Resources (SCDNR)	Rembert C. Dennis Building 1000 Assembly Street, Columbia, SC 29201 (803)-734-9100	Commenting Resource Agency in state and federal permitting processes
State Historic Preservation Office (SHPO)	South Carolina Department of Archives and History P. O. Box 11669 Columbia, SC 29211 (803)-896-6178	Commenting Resource Agency in state and federal permitting processes
U.S. Fish and Wildlife Service (USFWS)	176 Croghan Spur Road, Suite 200 Charleston, SC 29407 (843)-727-4707	Commenting Resource Agency in state and federal permitting processes

² After submittal of a joint application form by an applicant, the COE and DHEC will issue joint public notices in their coordinated permitting processes through which each makes its own permit decision.

AGENCY	CONTACT INFORMATION	REQUIREMENT
SCE&G Lake Management Department	Columbia, SC 29218 (803) 217-9221	Issues/Denies Permit
Federal Energy Regulatory Commission (FERC)	888 First Street, NE Washington, DC 20426 1-866-208-3372	Approves/Denies proposed commercial public marina based on application submitted by SCE&G

Additional governmental permits or authorizations may be required depending on particular circumstances of project.

General requirements for a commercial public marina vary depending on the size or the facility, or the number of watercraft it accommodates. Facility size has been categorized as those supporting (1) 20 or fewer watercraft (Figure 7-16), (2) 21-100 watercraft (Figure 7-17), or (3) 101 to 250 watercraft (Figure 7-18). A maximum development limit of two hundred fifty (250) on-water slips to accommodate watercraft will be permitted. All marina facilities must comply with all local, county, state, and federal regulations. Construction must commence within one year from the date of the SCE&G permit. The build out period must conform to the ACOE, FERC and DHEC permit conditions, and such additional constraints as may be contained in the FERC Order approving SCE&G's issuance of a permit. The following sections provide the required specifications for each facility size.

7.2.5.1 Commercial Public Marinas Accommodating Twenty (20) or Fewer Watercraft (Figure 7-16)

- Except when involving a peninsula (see following bullet item), no commercial public marina accommodating twenty (20) or fewer watercraft at a time will be permitted any closer than ¼ mile from (i.e. within a ¼ mile radius of) an existing facility.
- A commercial public marina proposed to be located at a site within the ¼ or ½ mile radius of an existing facility, but separated by a peninsula from the existing facility on the opposite side of the peninsula, will be required to have a minimum linear shoreline distance along the 360' PD contour of 2 miles between the existing

and the proposed public marina.

- No commercial public marina accommodating twenty (20) or fewer docks may encroach or extend more than one-third of the distance across the cove or waterway. Distance will be measured from the 360' PD contour to 360' PD contour, and will be determined on a case-by-case basis.
- No dock at a commercial public marina accommodating twenty (20) or fewer watercraft may extend more than 175 feet lake-ward from the 360' PD contour high water mark or one third distance across the cove whichever is less (Figure 7-19).
- Commercial public marinas accommodating twenty (20) or fewer watercraft at a time may not be located at a point in a cove or on another waterway area having a distance from shore to shore of less than 400 feet, measured from the 360' PD contour on one side to the 360' PD contour across the cove or waterway on the other side. They must be located or constructed such that the docks and watercraft will not unduly restrict or limit navigation through the area or access to adjoining properties.
- Commercial Multi-slip dock facilities that accommodate watercraft with marine sanitation facilities will be required to install, operate, and maintain sewer pump-out disposal systems in accordance with State regulations.
- Commercial Multi-slip docks will not be permitted to have covers or roofs over the docks or slips. Walkways may be covered as long as they are above the 360' PD contour line.
- No multi-slip dock may encroach within 50 feet of a Natural Area or identified ESA, as determined by SCE&G.
- Final placement of all marinas is determined by the MRC and must be approved by SCE&G.

7.2.5.2 Commercial Public Marinas Accommodating Twenty One to One Hundred (21 - 100) Watercraft (Figure 7-17)

- Except when involving a peninsula (see following bullet), no commercial public marina accommodating twenty-one to one hundred (21 - 100) watercraft at a time will be permitted any closer than $\frac{1}{2}$ mile radius from an existing Public Marina.
- Any commercial public marina facility proposed to be located within a $\frac{1}{4}$ or $\frac{1}{2}$ mile radius of an existing marina, but separated by a peninsula, and which will be located on the opposite side of the peninsula, will be required to have a minimum linear shoreline distance of 2 miles along the 360' PD contour between the existing and the proposed commercial public marina.
- Commercial public marinas accommodating twenty-one to one hundred (21 - 100) watercraft at a time must have a minimum of 800 feet of shoreline and be located or constructed in such a way that the docks and watercraft will not unduly restrict or limit navigation in the area or encroach within 150 feet of adjoining properties.
- No dock at a commercial public marina accommodating twenty-one to one hundred (21 - 100) watercraft, may extend more than 300 feet lake-ward from the 360' PD contour high water mark or more than $\frac{1}{3}$ the distance across the cove.
- Commercial public marinas accommodating twenty-one to one hundred (21 - 100) watercraft at a time must be located in areas where water depths are adequate for boating access and may not be located at a point in a cove or on another waterway area having a distance from shore to shore of less than 900 feet, measured from the 360' PD contour on one side to the 360' PD contour across the cove or waterway on the other side.
- Commercial Multi-slip dock facilities that accommodate watercraft with marine sanitation facilities will be required to install, operate, and maintain sewer pump-out disposal systems in accordance with

State regulations.

- No commercial public marinas will be permitted to have covers or roofs over the docks or slips below the . Walkways may be covered as long as they are above the 360' PD contour line.
- No commercial public marinas may encroach within 50 feet of a Natural Area or identified ESA as determined by SCE&G.
- Final placement of all marinas is determined by the MRC and must be approved by SCE&G.
- Applicants will be required to perform a Baseline Environmental Water Quality Monitoring Plan and conduct such water quality sampling as required therein annually for five years during the month of August.

7.2.5.3 Commercial Public Marinas Accommodating One Hundred One to Two Hundred Fifty (101 - 250) Watercraft (Figure 7-18)

- No commercial public marina facility accommodating one hundred one to two hundred fifty (101 - 250) watercraft at a time will be permitted any closer than ½ mile radius to an existing Public Marina facility.
- Any commercial public marina facility proposed to be located within the ¼ or ½ mile radius of an existing facility, but separated by a peninsula, must be located on the opposite side of the peninsula, and must have a minimum linear shoreline distance along the 360' PD contour of 2 miles between the existing and the proposed facility.
- Commercial public marinas accommodating one hundred one to two hundred fifty (101 - 250) watercraft at a time must have a minimum of 1000 feet of shoreline and be located or constructed in such a way that the docks and watercraft will not unduly restrict or limit navigation in the area or encroach within 200 feet of adjoining properties.
- No dock at a commercial public marina accommodating one

hundred and one to two hundred-fifty (101 - 250) watercraft, may extend more than 400 feet lake-ward from the 360' PD contour or more than 1/3 the distance across any cove.

- Commercial public marinas accommodating one hundred one to two hundred fifty (101 - 250) watercraft must be located in areas where water depths are adequate for boating access and may not be located at a point in a cove or on another waterway area having a distance from shore to shore of less than 1000 feet, measured from the 360' PD contours of both shores.
- Commercial public marinas that accommodate watercraft with marine sanitation facilities will be required to install, operate, and maintain sewer pump-out disposal systems in accordance with State regulations.
- No commercial public marinas will be permitted to have covers or roofs over the docks or slips. Walkways may be covered as long as they are above the 360' PD contour line.
- No commercial public marinas may encroach within 50 feet of a Natural Area or identified ESA as determined by SCE&G.
- Final placement of all marinas is determined by the MRC and must be approved by SCE&G.
- Applicants will be required to perform a Baseline Environmental Water Quality Monitoring Plan and conduct such water quality sampling as required therein annually for five years during the month of August.

7.2.5.4 Additional Specifications for all Public Marinas

- Marinas permitted for commercial use after 2007 cannot be converted to private multi-slip use without re-applying for a new permit from SCE&G and must comply with private marina permitting policies.
- The proposed commercial public marina should be located within the confines of the imaginary projected property lines as they

extend lake-ward.

- Excavations for commercial public marina facilities to improve public access is discouraged but may be considered on a case-by-case basis with consultation with SCE&G, and appropriate state and federal resource agencies and regulatory authorities.
- Commercial public marina facilities must at a minimum provide public restrooms, and are encouraged to provide public fishing access areas.
- The applicant must sign and complete the Commercial Public Marina Application Agreement before SCE&G will process a permit request.
- Existing marinas may remodel, rebuild, or repair within their existing footprint with the approval of the appropriate local, state, and federal agencies. To avoid additional permitting requirements, the facility would need to maintain or reduce the number of slips originally permitted.
- Additions to existing marinas that increase the number of slips or expand the existing footprint of the facility will require a permit for the additional slips.
- Expansion projects of existing marinas are evaluated on a case-by-case basis and must go through the MRC. SCE&G will have final approval of all projects.
- If damage to an existing marina caused by storm or other natural events requires maintenance and repair, the work completed on the facility must comply with the original permit conditions and specifications, and is not required to meet new standards.

7.2.6 Watercraft Limitations

No watercraft exceeding 34 feet in length will be allowed to permanently dock at a residential or common dock. Watercraft exceeding 34 feet must be docked at a commercial public marina or multi-slip facility with pump-out facilities.

7.2.7 Dock Modifications

Prior to initiating any project, property owners should contact SCE&G's Lake Management Department at 803-217-9221. Dock modifications that may temporarily or permanently affect the land or water of the shoreline require submittal of a permit application to SCE&G and approval of the application prior to the commencement of any such modifications. However, general maintenance and repairs of docks such as replacing boards, etc. does not require permitting. Dock owners must contact SCE&G's Lake Management Department for more information and guidance regarding the need for a permit to conduct dock work.

7.2.8 Dock Policy on Forest Management Property

The SCE&G Forest Management Classification identifies SCE&G timberlands located within the (PBL) Project Boundary line of the Lake Murray Saluda Hydro Project. The Forest Management Classification property will not be available for sale and is protected from shoreline (dock/ramp) development. The timber is managed under the S. C. Forestry Commission (BMP) Best Management Practices with restriction of any timber harvesting within 100 feet of the high water mark (360 contour).

SCE&G has approximately 100 miles of shoreline and 3,570 acres classified as Forest Management property around Lake Murray. The majority of the Forest Management property is located in the upper western end of the project along the Big and Little Saluda Rivers.

The Forest Management Classification has been in effect since 1979 when SCE&G was ordered by the (FERC) Federal Energy Regulatory Commission to establish a Land Use Shoreline Management Plan for the Saluda Hydro Electric Project.

The land being identified as Forest Management Property was protected from shoreline development by prohibiting the sale of any available lands within the PBL that were identified under the Forest Management Classification.

Over the years many property owners with land adjoining the SCE&G shoreline property identified as Forest Management, have expressed concerns of the restriction of no docks within the Forest Management Classification. Many of the current property owners are family members of the original property owners from whom SCE&G purchased their land for the development of the Lake. The majority of the Forest Management Properties were originally timber, pasture, and farm lands and have not changed very much over the years. This policy would address the possibility of permitting some type of limited dock access within the Forest Management Classification to existing back property owners who could meet the established criteria for dock approval.

Requirements:

Individual Residential Dock

- Eligibility for dock consideration restricted to property owners of record as of January 1, 2007. SCE&G has County documentation for property ownership for Newberry, Saluda, Lexington, and Richland Counties.
- Only one residential dock will be permitted for each identified tract of land.
- To be eligible for a dock, the property must first have a minimum of 500 feet on the Project Boundary Line (PBL).

- No dock will be permitted in narrow coves or shallow water areas or areas identified as Environmental Sensitive Area (ESA).
- A minimum width of 100 feet from the 360 contour must be established prior to dock approval. If the PBL is less than 100 feet the property owner would be required to deed SCE&G enough of their property to create a minimum 100 foot Buffer Zone to qualify for a dock. This buffer area will remain in the Forest Management classification.
- Dock site selection will typically be located in close proximity to the narrowest distance from the 360 contour and being a minimum of 100 feet.
- A single residential access path, approximately 10 feet wide, may be cleared for access to a permitted dock from the adjacent back property owner's land. The access path must follow a meandering route to prevent erosion and to protect the aesthetics of the shoreline. No trees larger than 8 inches diameter at breast height can be removed within the 10 foot access path. No removal or clearing of trees or vegetation cover within the Forest Management Property will be permitted, with the exception of the permitted access path.
- Be advised that any unauthorized removal of trees or vegetation on SCE&G property will result in the immediate cancellation of the dock.
- Each permit will be evaluated on a case- by-case basis with final approval at the sole discretion of the SCE&G Lake Management Department.
- No docks will be permitted on the SCE&G Forest Management Land located on the Big Saluda River above Kempson Bridge on Hwy 395. This area, identified as the headwater of Lake Murray, has significant environmental, ecological, and aesthetic values that warrant protection.

7.3 Boat Ramps

SCE&G encourages the use of boat ramps at public facilities versus construction of private ramps. Moreover, individual private boat ramps are not permitted in SCE&G buffer zones. In cases where private boat ramps are permitted by SCE&G, the following specifications apply to boat ramp construction:

- Ramps may generally be up to 12 feet wide and the required length to be functional at various water levels. Public ramps may be granted a variance from these conditions.
- Ramps must be constructed of concrete. Asphalt compounds or petroleum based products are prohibited.
- All ramps should be located so as not to interfere with neighboring property owners. Adjoining shoreline property owners may agree to common use of the ramp. The permit reflecting an agreement between the two participating shoreline property owners will be provided by SCE&G.
- If a community access ramp is permitted, individual ramps will not be permitted.

7.4 Boat Lifts

Boat lifts require a permit from SCE&G. The following specifications apply to the construction of boat lifts:

- All boat lifts must adjoin the owner's dock. Pilings cannot extend beyond the lakeward end of the dock.
- Boat lifts should be located so as not to interfere with the adjacent property owners' access.
- Only one boat lift will be approved per individual dock. On a case by case basis SCE&G Lake Management Department will consider 2 boat lifts for a common dock that is shared by two property owners.
- No covers are to be constructed over boatlifts.

- All boat lifts are to be low profile style lifts.

7.5 Personal Watercraft Lifts

Personal Watercraft lifts will require a permit from SCE&G. Facilities for lifting up to two personal watercrafts may be permitted per dock. The following specifications apply to the construction of personal watercraft lifts:

- Personal watercraft lifts should be located so as not to interfere with the adjoining property owners' access; and
- No covers are to be constructed over personal watercraft lifts.

7.6 Marine Railways

Marine railways require a permit from SCE&G with the following specifications:

- Marine railways are permitted for access to the lake from facilities located above the 360' PD contour; and
- Railways constructed below the 360' PD contour area are restricted to no more than two-foot elevation above the natural lake basin.

7.7 Floating Platforms or Tubes and Other Water Toys

- These items are not allowed to be permanently installed and must be removed before sunset each day; and
- These items must not inhibit navigation or extend more than 1/3 the width of the cove at the high water mark (360' PD contour).

7.8 Water Removal

7.8.1 Residential Withdrawals

Residential requests for water withdrawals require a permit from SCE&G. Water removal permits for residential property will be for irrigation purposes only. All

irrigation pumps and wiring must be located behind the 360' PD contour. Combustion or diesel pumps will not be permitted. SCE&G reserves the right to prohibit irrigation during times of drought or low water conditions. Applicants should contact the SCE&G Lake Management Department for permit applications and additional information.

7.8.2 Commercial Withdrawals

Commercial/Municipal request for water withdrawals require a permit from SCE&G. SCE&G may authorize water withdrawals up to 1 MGD without the requirement of FERC approval. SCE&G will impose limits (such as pump size or pipe size) in granting permits for approved applications. The applicant will be required to compensate SCE&G for water withdrawn and to bear expenses of filing the application.

A commercial application to withdraw water from the lake must include the following information:

- a complete description of the purpose for the removal;
- removal processes to be used;
- volumes to be withdrawn;
- copies of all required local, state, and federal permits and reports;
- the required fee; and
- any additional information as required by SCE&G.

7.9 Erosion Control (Shoreline Stabilization)

All shoreline stabilization efforts, including construction or repair of rip-rap, seawalls, retaining walls, and bioengineering, must be approved in writing by SCE&G Lake Management prior to implementation and/or construction. Furthermore, there are some areas of the lake where facilities may not be permitted because of environmental considerations, development patterns, physical lake characteristics, impacts to cultural resources, or other reasons.

Property owners should be aware that conducting any shoreline stabilization activities at a federally licensed hydroelectric project (e.g., Saluda Hydroelectric Project, FERC Project No. P-516) is a privilege that can only be granted with authorization from the Licensee. Because every possible situation cannot be anticipated, SCE&G Lake Management reserves the right to make special rulings in cases not specifically covered by these guidelines. Shoreline stabilization projects must adhere to the following specifications.

General Requirements:

- Silt fencing must be properly installed on the 360' PD contour or buffer zone, where applicable, before any land disturbance activities take place.
- The applicant must be the owner of the tract of land immediately adjoining the high water mark (360' PD contour) or SCE&G-owned buffer zone, or have the written permission of the easement property owner on water rights tracts (e.g., where SCE&G only has a flowage easement).
- SCE&G Lake Management will hold the applicant fully responsible for ongoing adherence with the current SMP and Handbook, including maintaining structures in good repair. This responsibility transfers automatically along with ownership.
- Prior to beginning any activity/construction within the high water mark (360' PD contour), the applicant must obtain all necessary governmental permits or approvals, and written authorization from SCE&G Lake Management.
- Consultation with SCDNR and U.S. Fish and Wildlife Service (USFWS) will be required for stabilization that exceeds 500 linear feet of shoreline.
- In order to protect aquatic resources, shoreline stabilization activities shall typically be performed September through February. In emergency situations, for repairs necessary to ensure integrity of existing structures, work may be performed outside September-February time period upon approval by SCE&G.

- The applicant shall make every reasonable effort to minimize any adverse impact(s) on fish, wildlife, shoreline vegetation, and other natural resources.
- New or expanding stabilization activities (excluding bio-engineering) may not be undertaken within a 50-foot offset from an ESA classification as identified in the SMP. All shoreline stabilization activities affecting an ESA will be assessed on a case-by-case basis.
- Minimal clearing below the high water mark (360' PD contour) may be allowed to create corridors for equipment access for stabilization projects. Access corridors should be incorporated into fixed pier/dock access corridors (*i.e.* foot paths) where practical. Vegetation removed to accommodate construction access for shoreline stabilization shall be replaced with native vegetation.
- Shoreline stabilization activities are limited to the eroded bank. Any unavoidable impacts to existing emergent aquatic vegetation, as a result of stabilization installation, require the replanting of vegetation in the impacted area(s).
- Bio-Engineering Stabilization is a preferred shoreline stabilization technique and is encouraged, especially in eroded areas associated with emergent aquatic vegetation. Applicants are encouraged to avoid activities (including stabilization) that could have an adverse impact(s) upon existing native aquatic plants.
- Approved bioengineering techniques are generally required for eroded banks of two feet or less of erosional scarp. Approved bioengineering and/or vegetated riprap techniques are preferred for eroded banks exceeding two feet of erosional scarp.
- The type of plantings utilized in bioengineering and landscape-planting projects should be native to South Carolina, and must be reviewed and approved by SCE&G Lake Management prior to introduction. Desirable species include grasses such as switchgrass and maidencane, and shrub and saplings such as water willow, black willow, button bush, and river birch.

- Riprap stabilization installed below the high water mark (360' PD contour) in vegetated areas must be limited to one layer deep to allow spaces between the stone for vegetation recruitment.
- Riprap material must be SCDOT Class B, or larger, quarry-run stone, natural stone, or other material approved by SCE&G. The use of tires, scrap metal, crushed block, construction/demolition debris, or other such types of material, is not allowed.
- Riprap use should be limited to only that area necessary to adequately stabilize the existing eroded bank. Riprap should be confined to a linear distance of 6 feet below the high water mark (360' PD contour) except where the entire placement is on/above severely eroded banks. These areas must be sloped back or terraced to provide maximum bank stability.
- Stabilization of eroded banks that are 2 feet in height or higher, or that are not associated with emergent aquatic vegetation, can be stabilized using SCDOT Class B or larger size riprap with filter cloth, bio-engineering using significant live staking and planting, or other forms of bio-engineering within the riprap.
- Retaining wall stabilization is only allowed for erosion control where the average eroded bank height is greater than 3 feet and the wall is constructed at the high water mark (360' PD contour). Earth fills below the high water mark (360' PD contour) are prohibited (Figure 7.9-1).
- A layer of rip-rap (SCDOT Class B or larger) extending 6 feet lake-ward from the high water mark (360' PD contour) must be placed along the entire base of all retaining walls. The 6-foot requirement is measured horizontally as shown on Figure 7-20.
- No sand shall be placed below the 360' PD contour. Effective measures must be used to keep sand from migrating below the 360' PD contour.

7.10 Excavation Activities

Excavation activities below the 360' PD contour are discouraged. Excavating of soils can release erodable earth material into the environment if precautions are not taken. SCE&G monitors excavation activities by requiring that a permit be obtained from SCE&G for work performed below the 360' PD contour. All authorized excavations must be in accordance with SCE&G specifications and requirements, which may include an environmental assessment plan or report. Figure 7-21 depicts general guidance for excavations. Any permitted excavation work must meet the following specifications:

- SCE&G Lake Management Department must be notified prior to commencement and upon completion of work.
- All displaced soil must be taken off site or otherwise stabilized above the 360' PD contour in accordance with SCE&G requirements if in Richland, Saluda and Newberry Counties, and in accordance with recommendations of the Lexington County Sediment Control Representative if in Lexington County.
- A maximum of 150 cubic yards of soil will be allowed
- A 4 to 1 slope is the maximum slope allowed.
- All excavating must be done directly in front of the applicant's property unless the adjoining property owner signs off on the project, or unless otherwise approved by SCE&G in consultation with SCDNR.
- All excavations must occur below the 354' PD contour, unless otherwise approved by SCE&G in consultation with SCDNR.
- No excavation will be permitted in a wooded or vegetated area, within 50 feet of an ESA, or other areas that may be identified by SCE&G in consultation with SCDNR. The protection of shallow water habitat must be considered at all times. A Lake Management representative will designate the area to be excavated.
- Excavation activities generally will not be allowed between January 15 and October 1. Exceptions may be granted by SCE&G based on hydrological or meteorological conditions. Permits are valid for only one (1) year from the date of issue. See date on approved permit.

- Water must not cover the excavation site during excavation activities.
- The contractor must have a copy of the approved permit and drawing while on the job site at all times.
- All excavation should be completed by using the following equipment: (1) dragline; (2) track backhoe; (3) bulldozer; or other equipment approved by Lake Management personnel.

7.11 Prohibited Activities/Structures

The following activities/structures are prohibited **below** the 360' PD contour or in the 75-ft buffer zone on Lake Murray. These prohibitions will be enforced by SCE&G or an appropriate state or federal agency:

- Encroachments: no sand or earth fill encroachments. Any unauthorized earth fill or structures that occurred prior to January 1, 1974, will be handled on a case-by-case basis.
- No fixed or land-based structures (boathouses, storage buildings, shelters, patios, brick barbeques, fences, swimming pools, satellite dish, signs, dog pens or invisible fencing, boat storage).
- No seawalls or retaining walls.
- No fences.
- No septic tanks and/or drain fields.
- No planting of grass except as a permitted erosion control measure.
- No storage or stockpiling of construction material.
- No vegetation removal of any type except in a permitted 10-foot wide access path to the shoreline.
- No limbing or trimming or cutting of Buffer Zone vegetation to create views or visual corridors.
- No fires or overnight camping (buffer zone only). All fires must conform to federal, state, and county burning ordinances.
- No unauthorized removal of trees or vegetation.
- Unless specifically authorized by the Lake Management Department, no all-terrain vehicles (ATV's), motorcycles, golf carts, or off road vehicles are allowed.
- No roofs or covers over any dock unless the dock is within 16 feet of the 360' PD contour.
- No roofs or covers over any boat lifts.
- No fueling facilities permitted on dock.
- No permanent mooring.

- No water craft exceeding 34 feet in length will be permitted to be permanently docked at a private dock. Docking for more than 14 days in any consecutive 30-day period is considered to be permanent.
- No excavation/dredging above the 354' PD contour or in shallow water habitat and ESA's.
- No effluent discharges, such as sinks, showers, toilets, etc.
- No drive-on docks unless it is taking the place of the traditional floating dock that is made of wood and is no larger than 12'X 20'.
- Permanent screening or enclosures will not be allowed on fixed seating areas of docks or gazebos.
- No upland (located above the 360' PD contour) water gardens (e.g. fish ponds, waterfalls, etc.) will be permitted to drain into the lake.
- No spraying of herbicides into the waters of Lake Murray or onto property where the herbicides may end up in Lake Murray.
- Dock lighting should be focused downward and should not intrude on adjacent property owners, or impact navigation.

7.12 Environmentally Sensitive Area (ESA) Restrictions

The following activities/structures are prohibited in Environmentally Sensitive Areas (ESAs). These prohibitions will be enforced by SCE&G or an appropriate state or federal agency:

- SCE&G prohibits clearing of vegetation within ESAs or within associated buffer.
- Commercial public marina facilities must be located a minimum of 50 feet from an ESA.
- New or expanding stabilization activities (excluding bio-engineering) may not be undertaken within a 50-foot offset from an ESA classification. All shoreline stabilization activities affecting an ESA will be assessed on a case-by-case basis.
- No excavation/dredging in ESAs or shallow water habitat.

- Areas where intermittent ESAs have been identified may accommodate limited docks, with approval from SCDNR and USFWS.

7.13 Access Path

Back property owners of land adjoining buffer zones are allowed access by foot to and from the lake through the buffer zone. Creation of a single 10-foot wide access trail that leads down to the lake may be permitted. To prevent erosion and to protect the aesthetics of the shoreline the route should not be direct and instead will have a meandering design. No trees larger than 8 inches in diameter at breast height (dbh) can be removed within the access path. Paths must consist of approved materials such as: woodchips, mulch, pine straw, pervious concrete with tinted color, fieldstone, river stone, and native grasses. A Lake Management representative must identify and designate the location of access paths.

7.14 Limited Brushing

For buffer zones established *prior* to 2007, limited brushing of the buffer zone by the back property owner may be allowed to remove exotic, invasive, or other specified vegetation. Permission for limited brushing will only be granted by SCE&G Lake Management after a site visit with the applicant to assess the need for brushing. Once limited brushing is completed according to the permit, the applicant shall maintain the site in said condition.

In general, certain critical vegetation cannot be removed even when limited brushing is permitted. Some species and types of vegetation provide important benefits such as shoreline stabilization, water quality functions, habitat, shade in near shore environments, and terrestrial input for aquatic ecosystems. For the purposes of a limited brushing permit, the following vegetation cannot be cleared:

- | | | |
|----------------|-----------------|----------------------------|
| • Black Gum | • Oak | • Sycamore |
| • Black Willow | • Persimmon | • Tag Alder |
| • Buttonbush | • River Birch | • Tulip Poplar |
| • Cottonwood | • Water Hickory | • Certain hardwood species |
| • Green Ash | • Wax Myrtle | • Dogwood |

Plants that can be cleared through limited brushing generally are undesirable species that are invasive and in some cases exotic. Included in this group are the following:

- Vines such as green briars, Japanese honey suckle, poison ivy, poison oak, wisteria, and kudzu;
- Shrubs such as black berry and privet;
- Trees such as mimosa and Bradford Pear; and
- Trees that are dead, diseased and create a hazard.

Some selective clearing of native, non-invasive species will be allowed through limited brushing. Generally, this will include certain softwood species that are less than 3 inches diameter at breast height (dbh). Species that could be cleared in this category include the following:

- Loblolly Pine
- Longleaf Pine
- Red Cedar
- Red Maple
- Sweetgum
- Virginia Pine

Any vegetation that does not meet the above listed criteria, but that the back property owner would still like removed, must be addressed individually with SCE&G Lake Management Department. It is likely that any vegetation or tree removal that is not consistent with limited brushing, as outlined above, will have to be mitigated and may include revocation of the property owner's dock permit.

7.15 Non-disturbance Areas

For buffer zones that are established *after* 2007, SCE&G will maintain a policy of no-disturbance of vegetation. Limited brushing will not be allowed on these lands under any circumstances. No vegetation below the 360' PD contour may be removed without prior approval from SCE&G. Only vegetation removal associated with creating a single 10-foot wide access trail leading to the lake is allowed. The desired vegetated condition of non-disturbance areas is depicted in Figure 7-22, Figure 7-23, and Figure 7-24.

7.16 Woody Debris Management

Submerged and shoreline woody debris provides habitat for many species of fish, macroinvertebrates, birds, reptiles, and mammals. This debris also helps protect the shoreline from erosion. SCE&G maintains a policy of non-disturbance for any and all woody debris unless its removal is necessary for reasons of health and human safety, or the debris is so minimal that it is insignificant in the provision of fish or wildlife habitat. Under some conditions, approval may be granted to remove woody material. SCE&G's woody debris management policy may allow the removal of woody debris below the 360' PD contour if it poses a clear safety or navigation concern, is brought to the attention of SCE&G's Lake Management Department personnel and is approved by Lake Management. Guidelines for the removal of woody debris are as follows:

7.16.1 Submerged Woody Debris

- SCE&G's Shoreline Management Plan allows limited removal of shoreline vegetation necessary for the construction and installation of docks and other permitted shoreline amenities.
- Shoreline property owners must obtain permission from SCE&G prior to removing shoreline woody debris below the 360' PD contour.
- If a dock is proposed for an area that contains significant, stable woody debris, SCE&G may propose an alternate location for the dock or prohibit the dock altogether.
- For tree stumps that pose a material threat to safety, landowners may be allowed to cut them off to an appropriate level, depending on expected water depth and proximity to docks and other activity-related facilities.

7.16.2 Floating Woody Debris

- Floating woody debris may be removed by SCE&G, SCDNR, or any member of the boating public when encountered if it is reasonably considered a material public safety issue or impediment to navigation.
- The debris should be removed from open water areas and taken to the shoreline.
- SCE&G encourages that it be secured onshore in undeveloped areas, such as the backs of coves and/or undeveloped lands.

7.16.3 Shoreline Woody Debris

Shoreline woody debris is managed in a manner similar to submerged woody debris:

- Limited removal of shoreline woody debris may be permitted to accommodate construction and installation of docks or other permitted shoreline amenities.
- Should a dock be proposed for an area that contains significant shoreline woody debris, SCE&G may propose an alternate location for the dock or prohibit the dock altogether.
- Shoreline property owners must obtain permission from SCE&G to remove shoreline woody debris below the 360' PD contour.
- Unauthorized removal of stable shoreline woody debris may result in the cancellation of dock permits and/or other shoreline amenity permits and a requirement that there be appropriate mitigation for the improper woody debris removal.
- Shoreline woody debris that may be a navigation hazard may be removed.

7.17 Permitting Application Procedure

The applicant will be required to submit to SCE&G a completed application along with the following:

- A copy of applicant's plat to the property reflecting county tax map information.
- Specific directions by land to applicant's property on Lake Murray.
- Sketch showing the location, design, and dimensions of the proposed structure, or the type and location of erosion control proposed. Excavation projects will require a drawing to scale of the area to be excavated.
- Applications for excavation not exceeding 150 cubic yards can be processed by SCE&G Lake Management Department. Any commercial excavation or individual excavation exceeding 150 cubic yards must also be processed through the U. S. Army Corps of Engineers and state agencies.
- Commercial applications to withdraw water from the lake also must include a complete description of the purpose for the removal and processes to be used, the volumes to be withdrawn.
- A permitting fee is required.
- Required local, state and federal permits and/or reports. The Lake Management Department will assist in the preparation of required local, state and federal permit applications.

7.18 Permitting Fees

SCE&G charges individual processing fees for its efforts in managing various permitting activities around the lakes. Permit fees are listed on the permit applications and are due at the time of application submission to SCE&G. If an application is denied the permit fee will be returned.

An annual Administrative Fee may be implemented, as FERC allows SCE&G the right to charge a reasonable fee to cover the costs of administering its Shoreline Permitting Program, which adds significant management responsibilities and costs to SCE&G's operation. SCE&G will give adequate public notice through appropriate communication avenues before changing the fee structure. Failure to comply with this policy may result in the revocation of existing permits, fines, or legal action, as well as loss of consideration for future permits.

7.19 Violations

SCE&G conducts annual surveys of the lake shoreline to inventory and inspect docks built and permitted throughout the year. Dock applicants are responsible for maintaining their structures in good repair and safe condition. If at any time a dock is determined by a SCE&G Lake Management representative to be in disrepair or a hazardous condition, it must be repaired or removed from the Lake Murray waters immediately. SCE&G reserves the right to remove any dock on its property as conditions warrant.

SCE&G also makes note of unauthorized structures during its surveys, and urges residents and other lake visitors to report what they believe may be unauthorized activity below the 360' PD contour and in the buffer zones. SCE&G Lake Management representatives will issue Stop Work Directives for any violations that are detected on SCE&G property. Any unauthorized clearing of the trees or underbrush will result in the immediate cancellation of an individual's dock permit as well as action to require re-vegetation of the affected area. Removal of merchantable timber will require reimbursement to SCE&G Company subject to valuation of the SCE&G Forestry Operations Department. Additional, consequences for violations may include loss of consideration for future permits, fines, and/or legal action.

7.20 Miscellaneous

- Deeds, permits, or other instruments affecting Lake Murray lands and waters will contain all standard covenants customarily imposed upon project property and such other covenants as in the sole discretion of SCE&G may be desirable or appropriate. The instrument may contain indemnity clauses and insurance provisions.
- Permitting fees do not constitute a charge for admission to Project lands.
- SCE&G retains the right to vary the amount of application fees.
- No vested right or rights enforceable by third parties are created by SCE&G's Policies or Procedures.

Maps of Lake Murray showing public and commercial landings, parks, navigational markings, and other information are available free of charge from SCE&G. Inquiries concerning policies, procedures, applications or regulations as outlined in this booklet, or requests for maps or applications, should be directed to SCE&G:

South Carolina Electric & Gas Company
Lake Management Department
Columbia, South Carolina 29218
Telephone (803) 217-9221



**South Carolina Electric & Gas Company
Lake Murray Management Department
Columbia, South Carolina 29218**

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