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South Carolina Department of Health
and Environmental Control

Permit for Construction in Navigable Waters

in Accordance with R. 19-450 et. seq., 1976 S.C. Code of Laws

PERMITTEE: **SC Dept of Health & Environmental Control**
PERMIT NUMBER: **SAC 2008-1694-GP**
DESCRIPTION OF WORK: General Permit for maintenance on Lake Hartwell, Richard B. Russell and J. Strom Thurmond Lakes in Anderson, Oconee, Pickens, Abbeville and McCormick Counties.
DATE PERMIT ISSUED: June 1, 2012
CONTRUCTION MUST BE COMPLETED BY: November 9, 2016

We have reviewed plans for this project and determined that there is a reasonable assurance that the proposed project will be conducted in a manner consistent with the permitting requirements of R. 19-450 et. seq., 1976 S.C. Code of Laws.

This permit is subject to the conditions of the General Permit and special conditions on the attached page as well as the general conditions.

The SC Department of Health and Environmental Control reserves the right to impose additional conditions on this Permit to respond to unforeseen, specific problems that might arise and to take any enforcement action necessary to ensure compliance with State standards.

All activities authorized by this permit remain subject to the requirements of all applicable laws, regulations and ordinances of federal, state, and local governments. The permittee may not conduct or maintain any activities authorized by this permit unless such activities also comply with all other applicable laws, regulations and ordinances of federal, state and local governments.

This permit shall not be deemed to be in derogation of any property rights or interests of persons or entities other than the permittee with respect to (a) property upon which the permitted activity is situated, or (b) property affected by the permitted activity. This permit confers upon the permittee no greater rights than the permittee possessed before issuance of the permit with respect to property rights or interests of third persons or entities.

Heather Preston, Director
Division of Water Quality

5/31/12
Date

SPECIAL CONDITIONS

SC Dept of Health & Environmental Control **SAC 2008-1694-GP**

1. The applicant must adhere to the terms and conditions of the General Permit.

General Permit No. SAC-2008-1694-GP

Name of Applicant: General Public

Effective Date: June 1, 2012

Expiration Date: November 9, 2016

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
GENERAL PERMIT
FOR MINOR ACTIVITIES ON CORPS LAKES ON THE SAVANNAH RIVER, SOUTH CAROLINA

A General Permit to perform work in or affecting navigable waters of South Carolina, pursuant to Permits for Construction In Navigable Waters (R. 19-450), is hereby issued by the authority of the South Carolina Department of Health and Environmental Control (SCDHEC) to authorize, where such authorizations are required for bank stabilization, excavation, fish attractors, reefs, fishery enhancement, and aquaculture activities, utilities, debris removal, dock anchors, scientific measuring devices and surveys, piles and pile supported structures, construction and maintenance of boat ramps, buoys & signs, modifications to existing marinas, and recreational swimming beaches, by the adjacent shoreline property owners, lessees or governmental agencies in the following lakes along the Savannah River:

HARTWELL, RICHARD B. RUSSELL, AND J. STROM THURMOND

in Anderson, Oconee, Pickens, Abbeville, and
McCormick Counties, South Carolina.

This General Permit is associated with U.S. Army Corps of Engineers (USACE) Regional General Permit (RGP) No. SAC-2008-1694 and is issued in an effort to eliminate unnecessary duplication of regulatory efforts and to streamline the permitting process for routine projects with only minimal impacts. Prior to commencing work authorized by this Regional General certification, project-specific authorization must be obtained in writing through the USACE Operations Project Manager, or his designated representative, for the appropriate USACE Lake. The term Operations Project Manager or his designated representative includes both Park Rangers and Park Managers. The following activities are authorized by this Regional General Certification on the South Carolina side of the aforementioned Lakes provided they comply with the listed Special and General Conditions.

I. AUTHORIZED ACTIVITIES AND SPECIAL CONDITIONS:

RGP 2 - Bank Stabilization: Authorized bank stabilization activities include the placement of bulkheads, armoring systems (riprap), bioengineering, and other standard bank stabilization/protection devices roughly paralleling and at the bank or shoreline.

a. The activity shall not exceed 1,000 feet in length along the bank.

b. No material shall be placed in excess of the minimum needed for erosion protection. The activity will not exceed an average of 1cubic yard of material per running foot placed along the bank below full pool elevation.

c. Bio-engineering materials, such as vegetation, are encouraged whenever possible for bank stabilization activities.

d. Materials must be non-polluting and shall not be placed in any special aquatic site, wetland, or stream.

e. No material shall be of the type, or placed in any location, or in any manner, that would impair surface water flow into or out of any water of the United States.

f. No material shall be placed in a manner that would be eroded by normal or expected high flows or wave action.

RGP 3 - Excavation: Authorized excavation includes the removal of accumulated silt from the lake bottom for the purposes of navigation.

a. Excavation or dredging is **not** authorized under this RGP within Hartwell Lake. Project specific authorization must be obtained through the USACE Charleston District, Regulatory Division.

b. All work shall be performed "in the dry" (above the current lake pool elevation). Dredging or excavation at or below lake pool elevation ("in the wet") is not authorized under this RGP. If groundwater saturation is encountered during excavation, the remaining work shall be completed from the highest areas towards the lowest areas so as to reduce potential increases in turbidity and sedimentation in the lake.

c. Only accumulations of silt shall be removed. Excavation shall not extend into the original, hardpan, hard clay bottom, or natural bottom contour of the lake.

d. A maximum of 5,000 cubic yards of material per year per individual applicant (adjacent property owner or lessee) is authorized. However, at the discretion of the Operations Project Manager, up to 20,000 cubic yards of material may be authorized for "multiple-applicant" projects. Multiple-applicant projects are those designed to provide navigational access for multiple adjoining or adjacent properties under one permit.

e. For each single and complete project (including multiple-applicant projects), access to the lake with heavy machinery and excavation equipment is limited to one point of ingress and egress.

f. Excavated areas shall be contoured such that ponding of water does not occur during times of low lake levels. No sinks or sumps shall be created.

g. This permit authorizes a one-time excavation event per project site. Continual maintenance dredging/excavation is not authorized.

h. Excavation of special aquatic sites, including wetlands is not authorized. Exceptions may be made for noxious or nuisance species.

i. All excavated material shall be deposited in upland areas. The disposed material shall not affect cultural or historic resources or threatened or endangered species. All disposed material shall be properly stabilized or contained so as to preclude entry into any surface waters, wetlands, streams or any other waters of the United States, or public property. All disposal sites must be authorized by the Operations Project Manager.

j. Excavated material shall not be deposited on public lands unless specifically authorized by the Operations Project Manager. If the proposal includes the placement of excavated material on public lands, such as placement behind bulkheads or retaining walls or for temporary stockpiling and dewatering, such use shall be clearly indicated in the information submitted for approval. No material shall be stockpiled below full pool elevation.

k. At the discretion of the Operations Project Manager, sediment testing may be required for any proposed excavation project.

RGP 4 - Fish Attractors, Reefs, Fishery Enhancement, and Aquaculture Activities: Authorized activities include placement of fish attractants and habitat structures, spawning bed renovation, benthic barriers for aquatic weed control, and non-native aquatic vegetation removal.

a. Only clean material, free of pollutants may be placed in the waterway. Typical structures authorized for fish habitat include recycled Christmas trees, cinder blocks, root wads, gravel and PVC structures.

b. Structures shall not pose a hazard to navigation. Certain clearances, as specified by the Operation Project Manager, may be required over structures placed on the lake bottom.

RGP 5 – Utilities: Authorized utility activities include utility lines, pipes, and poles installed below full pool and necessary for power lines, water lines, telephone lines, etc.

a. Lines and pipes may be suspended, directionally bored, trenched in, attached to existing structures, or laid on the lake bottom.

b. Utility activities shall not pose a hazard to navigation or the environment.

c. Aerial utility lines shall be of sufficient height, as specified by the Operations Project Manager, so as not to hinder navigation.

d. Minimum depths, as specified by the Operations Project Manager, may be required for lines buried beneath the substrate.

e. Trenching shall only occur in the dry. During installation excavated material may be temporarily side cast above the current lake pool elevation before backfilling the trench. Any excess excavated material shall be properly disposed in upland areas

off public lands. The disposed material shall not affect cultural or historic resources or threatened or endangered species. All disposed material shall be properly stabilized or contained so as to preclude entry into any surface waters, wetlands, streams or any other waters of the United States, or public property. All disposal sites must be authorized by the Operations Project Manager.

f. Special aquatic sites such as wetlands shall not be impacted.

RGP 6 - Debris Removal: Authorized debris removal includes the removal of debris such as stumps, tree limbs, appliances, lumber, and metal objects, from any waterway for navigational or drainage purposes.

a. All debris must be properly disposed. Disposal sites on public land for natural debris may be authorized on a case-by-case basis by the Operation Project Manager. Otherwise, disposal may not occur on public lands.

b. Living vegetation securely attached to the substrate is not considered debris and is not authorized for removal.

c. Debris removal does not include the dredging or excavation of gravel, sand, silt, or clay. Proposed excavation must comply with Section b. above for authorization under this RGP.

RGP 7 - Dock Anchors: Authorized activities include the use of anchors on the lake bottom to secure large docks and docking facilities for safety purposes.

a. Dock anchors shall not hinder or pose a hazard to navigation.

b. Dock anchors must be constructed of durable materials as specified by the Operations Project Manager.

RGP 8 - Scientific Measuring Devices and Surveys: Authorized activities include use of devices whose purpose is to measure and record scientific data, water quality monitoring stations, and survey activities including core sampling, bore holes, soil surveys, and historic research surveys by Federal, state, or local agencies/government bodies or lessees.

a. Authorized activities shall not hinder or pose a hazard to navigation.

RGP 9 - Piles and Pile Supported Structures: Authorized activities include the installation and maintenance of piles and pile supported structures or the use of spud poles for Federal, state, and local agencies/government bodies or lessees.

a. Structures shall not hinder or pose a hazard to navigation.

b. Wood treated with creosote or chromated copper arsenate (CCA) may not be used in the construction.

c. Special aquatic sites, including wetlands, shall not be impacted.

RGP 10- Construction and maintenance of boat ramps: Authorized activities include the construction and modification of boat ramps by Federal, state, and local agencies/government bodies or lessees and the maintenance of existing boat ramps.

a. Discharges below full pool elevation shall not exceed 100 cubic yards of material.

b. Only acceptable materials, as determined by the Operations Project Manager, shall be used in ramp construction. Use of asphalt compounds or petroleum products is not authorized. Only non-polluting, stable material may be used.

c. No material shall be placed in a manner that would be eroded by normal or expected high flows or wave action. Best management practices must be employed to stabilize material and prevent erosion of material off site.

d. Boat ramps shall be sited such that it would not impair surface water flow into or out of any water of the United States.

e. Excavation is limited to the minimum necessary for site preparation. Excavated material must be properly disposed of off public property. All disposed material shall be properly stabilized or contained so as to preclude entry into any surface waters, wetlands, streams or any other waters of the United States, or public property. The disposed material shall not affect cultural or historic resources or threatened or endangered species. All disposal sites must be authorized by the Operations Project Manager.

f. Special aquatic sites, including wetlands, shall not be impacted.

g. Maintenance of existing boat ramps by private property owners may be authorized provided the width and capacity of the ramp are not modified. Minor deviations in the structures configuration necessary to make repair, protect, and ensure the integrity of the structure are authorized. At the discretion of the Operations Project Manager, the length of the boat ramp may be extended if necessary for full utilization of the ramp and provided the extension would not hinder navigation.

RGP 11 - Buoys and Signs: Buoys and signs for the purpose of public information or safety may be authorized for Federal, state, or local agencies/government bodies or lessees.

a. Buoys and signs shall not hinder or pose a hazard to navigation.

RGP 12 - Modifications to Existing Marinas: Authorized modifications include reconfiguration of the existing dock facilities and excavation of accumulated silt by Federal, state, or local agencies/government bodies or lessees.

a. Expansion of the marina is not authorized. Reconfiguration of the docks must remain within the footprint of the existing facility.

b. Excavation of accumulated silt is limited to the existing footprint of the marina including the docks, access to the marina, and the immediately surrounding area. A maximum of 20,000 cubic yards of material may be removed.

c. Only accumulations of silt shall be removed. Excavation shall not extend into the original, hard pan, hard clay bottom, or natural bottom contour of the lake.

d. All work shall be performed "in the dry" (above the lake pool elevation). Dredging or excavation at or below lake pool elevation ("in the wet") is not authorized. If groundwater saturation is encountered during excavation, the remaining work shall be completed from the highest areas towards the lowest areas so as to reduce potential increases in turbidity and sedimentation in the lake.

e. Excavated areas shall be contoured such that ponding of water does not occur during times of low lake levels. No sinks or sumps shall be created.

f. This permit authorizes a one-time excavation event per project site. Continual maintenance excavation is not authorized.

g. Excavation of special aquatic sites, including wetlands is not authorized. Exceptions may be made for noxious or nuisance species.

h. All excavated material shall be deposited in upland areas. The disposed material shall not affect cultural or historic resources or threatened or endangered species. All disposed material shall be properly stabilized or contained so as to preclude entry into any surface waters, wetlands, streams or any other waters of the United States, or public property. All disposal sites must be authorized by the Operations Project Manager.

i. Excavated material shall not be deposited on public lands unless specifically authorized by the Operations Project Manager. If the proposal includes the placement of excavated material on public lands, such as placement behind bulkheads or retaining walls or for temporary stockpiling and dewatering, such use shall be clearly indicated in the information submitted for approval. No material shall be temporarily stockpiled below full pool elevation.

j. At the discretion of the Operations Project Manager, sediment testing may be required for any proposed excavation project.

k. Excavation or dredging in Hartwell Lake is not authorized by this RGP. Project specific authorization must be obtained through the USACE Charleston District, Regulatory Division for all excavation or dredging within Lake Hartwell.

RGP 13 - Recreational Swimming Beaches: Authorized activities include the placement of material at or below full pool elevation for the construction and maintenance of recreational beaches by Federal, state, or local agencies/government bodies or lessees and the maintenance of existing beaches by private property owners.

a. Materials must be non-polluting and shall not be placed in any special aquatic site, wetland, or stream.

b. No material shall be of the type, or placed in any location, or in any manner, that would impair surface water flow into or out of any water of the United States.

c. Expansion of existing beaches is not authorized. Maintenance of existing beaches is limited to the previously authorized or "grandfathered" dimensions.

II. GENERAL CONDITIONS for all RGP: The above described structures and activities may be authorized by this RGP subject to the following General Conditions in addition the specific conditions for each RGP:

a. All work must comply with the terms and conditions of the appropriate lake's Shoreline Management Plan as administered by the Operations Project Manager. Prior to commencing any work authorized herein, the permittee must obtain project-specific authorization from the appropriate Operations Project Manager or his designated representative. Project plans and proposals may be submitted to the appropriate Operations Project Manager at the following addresses:

Hartwell Lake and Dam
Attention: Shoreline Section
5625 Anderson Highway
Hartwell, GA 30643-5259
1-888-893-0678

Richard B. Russell Dam and Lake
U.S. Army Corps of Engineers
4144 Russell Dam Dr.
Elberton, GA 30635-9271
1-706-213-3400

J. Strom Thurmond Project
Attention: Shoreline Section
510 Clarks Hill Highway
Clarks Hill, SC 29821
1-800-533-3478

b. This Regional General Permit authorizes only those activities specifically addressed herein. Any jurisdictional activity not authorized in the RGP, or which exceeds the limitations of the RGP, requires specific authorization through USACE, Charleston District, Regulatory Division:

U.S. Army Corps of Engineers
Columbia Regulatory Office
Strom Thurmond Federal Bldg.
1835 Assembly Street, Rm. 865 B-1
Columbia, SC 29201
(803) 253-3444

c. Based on potential impacts to navigation, the environment, human health and welfare, public interest, or other concerns, the Operations Project Manager has the discretion, on a case-by-case basis, to elevate any proposal otherwise authorized by this RGP to USACE, Charleston District, Regulatory Division for standard permit processing.

d. All activities identified and authorized herein shall be consistent with the terms and conditions of this General Permit; any variance 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 the authorization, as set forth more specifically in General Condition m. below and in the institution of such legal proceedings as the United States Government may consider appropriate.

e. Access across public property to the work site shall be identified in the application and coordinated and approved by the Operations Project Manager. Every effort shall be made to identify and utilize the route least damaging to shoreline vegetation and property.

f. All structures authorized by this General Permit shall be designed, located, and/or operated to allow the full and free use by the public of all navigable waters.

g. No wetland or stream shall be adversely impacted. No surface water flowing into or out of any wetland or stream shall be adversely impacted. The activity must be designed to maintain preconstruction downstream flow conditions. The activity must not permanently restrict or impede the passage of normal or expected high flows and the structure or discharge of dredged or fill material must withstand expected high flows.

h. The permittee must make every reasonable effort to conduct the work authorized herein in a manner so as to minimize any adverse impact to fish, wildlife, and other environmental resources.

i. The permittee must make every reasonable effort to conduct the work authorized herein in a manner so as to minimize any degradation of water quality.

j. A complete copy of this permit, written authorization from the Operations Project Manager, including drawings, special conditions, and any amendments shall be maintained at the work site whenever work is being performed. The permittee shall ensure that all contractors, subcontractors and other personnel performing the permitted work are fully aware of the permit terms and conditions.

k. The permittee shall allow the District Engineer, Operations Project Manager, or their authorized representative(s) to make periodic inspections of the authorized work at any time deemed necessary in order to ensure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

l. This General Permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain other Federal, State, or local assent or to comply with any applicable standards required by ordinance for the activities authorized herein. Other Federal, State, and/or local agencies are not limited by this document and may impose more stringent requirements than those stated herein as they see fit.

m. Authorization of a specific work or structure authorized herein may be summarily suspended in whole or in part upon a finding by the District Engineer that immediate suspension would be in the general public interest or there has been a violation of any terms and conditions of this permit. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by a permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. A permittee shall take immediate action to comply with the provisions of this notice. Within ten (10) days following the receipt of this notice of suspension, the permittee may request a meeting with the District Engineer or a public hearing to present information relevant to a decision whether his permit should be reinstated, modified, or revoked. If a public hearing is requested it shall be conducted pursuant to

procedures prescribed by the Chief of Engineers. After completion of the public hearing or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the authorization of the specific work or structure will be reinstated, modified, or revoked. Any modification, suspension, or revocation of authorization under this General Permit shall not be the basis for any claim for damages against the United States.

n. The prospective permittee must notify the Operations Project Manager if the proposed activity may affect any federally listed threatened or endangered species, a species proposed for listing, or designated critical habitat.

1. No activity is authorized which:

(i) Is likely to jeopardize the continuing existence of a threatened or endangered species, or species proposed for such designation, as identified under the Endangered Species Act, or which will destroy or adversely modify the critical habitat of such species

(ii) "May affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.

(iii) Involves the "take" of a threatened or endangered species as defined under the ESA without separate authorization (e.g., a Biological Opinion with "incidental take" provisions) from the U.S. Fish and Wildlife Service or the National Marine Fisheries Service.

2. Applicants shall include, in their permit applications, information regarding the presence of any federally listed threatened or endangered species or designated critical habitat in the vicinity of the project site that might be affected by the proposed work.

o. The prospective permittee must notify the Operations Project Manager if the proposed activity may affect any historic properties or cultural resources listed on, or which may be eligible for listing on, the National Register of Historic Places. Should the USACE determine the proposed activity has the potential to affect cultural resources, including archaeological, scientific, prehistoric, or historic sites or data, the project must be coordinated through USACE, Charleston District, Regulatory Division. The activity is not authorized until the procedures for the protection of cultural resources (Appendix C to 33 CFR 325) have been completed, including coordination with the State Historic Preservation Officer and/or the appropriate Tribal Historic Preservation Officer.

p. If the permittee, prior to or during the performance of the work authorized herein, encounters previously unidentified archeological remains or cultural resources within the area subject to Department of the Army authorization, the permittee agrees to cease work and contact the District Engineer, so that further coordination with appropriate agencies may be conducted.

q. The permittee shall maintain the work or structure authorized herein in good condition. If and when a permittee desires to abandon an authorized structure, unless such abandonment is part of a transfer procedure by which the individual is

transferring ownership of the structure, the permittee may be required to remove the structure.

r. The permittee recognizes the possibility that works or structures authorized herein may be subject to damage by wave wash from passing vessels and wind-driven waves. The issuance of this General Permit does not relieve the permittee from taking all proper steps to ensure the integrity of works 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.

s. Upon receipt of a notice from the District Engineer for failure to comply with the terms, conditions, or standards of this General Permit, the permittee shall, without expense to the United States and in such manner as directed by the District Engineer or his authorized representative(s), effect compliance with the terms, conditions, and standards or remove the structure.

t. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

u. Authorizations will not be issued under these RGPs which will adversely affect nesting bald eagles. If the Operations Project Manager determines that the proposed activity is within 660 feet of an active eagle nest and the activity will occur during the nesting season (October – May), further coordination with the District Wildlife Biologist will be required to determine if restrictions are necessary.

v. Should the proposal potentially have an adverse affect on any vegetation, that vegetation must be clearly identified (species and location) in the information submitted for approval by the Operations Project Manager. Upon a request by the appropriate Operations Project Manager, the applicant shall provide a delineation of waters of the U.S. performed by a qualified environmental consultant in accordance with the 1987 Corps of Engineers Wetland Delineation Manual and verified by USACE Charleston District, Regulatory Division.

w. Prior to the beginning of any construction activities, appropriate erosion control measures, such as silt fences, silt barriers or other suitable devices, must be placed between the construction area and affected waterways (wetlands); and maintained in a functioning capacity until the area is permanently stabilized upon completion of the project.

x. All steps necessary must be taken to prevent oil, tar, trash, debris, and other pollutants from entering adjacent wetlands and/or waterways.

y. No activity is authorized by this permit that will cause flooding or ponding of water on property in which permittee does not have the necessary real estate interest.

III. PROHIBITED ACTIVITIES:

a. All work that exceeds the terms and conditions specified herein is prohibited unless an Individual or Nationwide Department of the Army Permit has been obtained from the appropriate Corps of Engineers District Office. All work for purposes other than those specified herein is expressly not authorized by this document.

IV. REQUIRED AUTHORIZATIONS:

a. Prior to performing any work authorized herein within the prescribed geographical limits of this General Permit, the permittee must also obtain authorization from the appropriate Operations Project Manager.

V. REQUIRED REPORTING:

a. The Operations Project Managers at each Lake office agreed to furnish a quarterly tabulation with pertinent information of all work or activities authorized under this RGP to the following:
   - USACE Charleston District
   - US Fish Wildlife Service
   - South Carolina Department of Natural Resources
   - South Carolina Department of Health and Environmental Control

VI. PENALTIES FOR VIOLATIONS:

a. Authorization obtained under this General Permit limits the size, length and use of structures. Any deviation from the specifications, or other terms or conditions of the General Permit shall constitute a violation of the General Permit, Section 10 of the River and Harbors Act of 1899 and/or Section 404 of the Clean Water Act, and may result in the District Engineer seeking judicial relief to have the permittee remove the structure or work and/or restore the project area to its former condition, as well as the imposition of penalties as provided by law.

VII. REVOCATION OF THE GENERAL PERMIT:

a. This permit may be revoked by issuance of a public notice at any time the District Engineer determines that the cumulative effects of the activities authorized herein have an adverse effect on the public interest. Following such revocation, any future activities in areas covered by this General Permit will be processed as Individual or Nationwide Permits.

VIII. DURATION OF THE GENERAL PERMIT:

a. This General Permit will cover activities started within five (5) years and completed within six (6) years after the date of issuance unless this permit is revoked in the interim. Revoking the General Permit will not affect work performed in accordance with the conditions stated herein. At the end of the first year and every succeeding year, the Corps of Engineers and the Federal and State regulatory and resource agencies will jointly review activities authorized by this General Permit to determine if significant cumulative impacts have resulted. If the District Engineer determines revocation of this permit, in whole or in part, may be in order due to cumulative impacts, a public notice of the intention will be issued and after a review of all

additional data submitted, action will be taken to amend, modify or revoke this permit as appropriate. Revocation of the General Permit will not affect the work that had been authorized when the General Permit was in effect if such work is in accordance with the provisions contained herein.

Heather Preston, Director
Division of Water Quality

5/31/12
Date