

## **BROOKFIELD SMOKY MOUNTAIN HYDROPOWER LLC – FERC NO. 2169**

### **1 GENERAL**

#### **SPECIFICATIONS FOR PRIVATE RECREATION USE FACILITIES – BSMH PROJECT RESERVOIRS**

As a Federal Energy Regulatory Commission (FERC) licensee, Brookfield Smoky Mountain Hydropower LLC (BSMH or Brookfield) manages Santeetlah, Cheoah, Calderwood, and Chilhowee reservoirs in accordance with the terms of its license and applicable rules and regulations of FERC. This responsibility includes providing adequate public access and public recreation facilities, and protecting important environmental, cultural, and aesthetic resources at the Project. BSMH takes its responsibility very seriously and is committed to the protection and enhancement of these resources within the FERC-licensed Project Boundary (Project Boundary) and on BSMH-owned lands.

Generally, the Project Boundary at Santeetlah Reservoir follows the normal full-pool elevation of the reservoir. BSMH manages BSMH-owned lands in and outside of the Project Boundary. The Santeetlah Reservoir shoreline spans a total of 78.8 miles. Of the 78.8 miles of shoreline, approximately 60.7 miles is undeveloped forest (Nantahala National Forest). The remaining 18.1 miles of shoreline is privately owned, including BSMH-owned lands. Also, as described in the BSMH Project Relicensing Settlement Agreement (RSA), a North Carolina Riparian Lands Conservation Easement (NC Riparian Easement) was placed on certain BSMH-owned lands along Santeetlah Reservoir and the Cheoah River, Yellow Creek, and Cheoah and Calderwood reservoirs. The BSMH Project Shoreline Management Plan (SMP), effective upon filing with FERC in October 2004, classifies the shoreline along Santeetlah Reservoir as: 1) Other/General Development, 2) Stewardship Area, or 3) Conservation Easement.

Generally, the Project Boundary along Cheoah Reservoir follows contour elevation 1,362.5-ft or the normal full-pool elevation along both the north and south shorelines of the reservoir. The Cheoah Reservoir has 19.6 miles of shoreline and is bounded on the north side by U.S. Highway 129, BSMH-owned lands, the Great Smoky Mountains National Park (GSMNP), the Tennessee Valley Authority (TVA), and NC Highway 28.

To accommodate plant operations and maintenance activities, the Project Boundary at Calderwood Development includes the entire horseshoe shaped area known as the Calderwood Bypass. The Project Boundary along the right side (facing downstream) of the reservoir follows metes and bounds for about a mile with the balance of the boundary at the 1,180-ft contour. The Project Boundary on the left side of the reservoir follows the 1,107.5-ft contour from the Cheoah

River to just downstream of the Tennessee and North Carolina border and the 1,180-ft contour to just upstream of the dam. Calderwood Reservoir has 16.9 miles of shoreline. Most of the land bordering the Project Boundary around Calderwood Reservoir is BSMH-owned lands. The Nantahala and Cherokee National Forests and the Joyce Kilmer-Slickrock Creek Wilderness Area also border the Project Boundary at Calderwood Reservoir.

The Project Boundary at Chilhowee Reservoir includes an area around Chilhowee Dam and extends downstream into the tailrace about 3,000 feet. The Project Boundary on the northeast side of the reservoir generally follows either the 925-ft or the 887.5-ft contours. Approximately 75 percent of the Project Boundary on the southwest side of the reservoir is the 925-ft contour with intermittent areas defined by metes and bounds. Chilhowee Reservoir has 26.4 miles of shoreline and is bordered on the northeast side by U.S. Highway 129, the Great Smoky Mountains National Park, BSMH-owned lands, and private lands and on the southwest side by BSMH-owned lands, private lands, and the Cherokee National Forest.

Generally, the majority of the shoreline around Calderwood and Chilhowee reservoirs and the Calderwood Bypass is classified as Stewardship Area. Also, as described in the Relicensing Settlement Agreement, a permanent or term conservation easement was placed on certain BSMH-owned lands including lands along the shoreline of the mainstem reservoirs and the Calderwood Bypass (the “Conservation Easements”).

Generally, the purposes of the aforementioned Conservation Easements are to ensure that the property included in the easement is preserved in its predominantly undeveloped, natural, scenic, open space and/or forested condition, and to prevent any use of the property that will significantly impair or interfere with the identified Conservation Values (natural, scenic, open space, forest, wildlife habitat, watershed protection, historical, cultural, educational, and/or recreational values) of the property. The shoreline property included in the Conservation Easements may be used by the general public for ingress and egress to and from adjoining properties for recreational purposes (e.g. lawful hunting, fishing, hiking) so long as that right existed prior to FERC’s issuance of a new license. However, the Conservation Easements generally restrict the following activities and uses on property included in the Conservation Easements: construction; excavation; cutting or removal; dumping; pollution; vehicles, bikes, horses; and exploration.

BSMH has no management oversight over any lands owned and managed by the U.S. Forest Service (USFS), the National Park Service (NPS), or TVA. Accordingly, BSMH will not grant any permits pursuant to these Specifications for Private Recreation Use Facilities (Specifications) for lands managed by others than BSMH. Property owners desiring to use USFS, NPS, or TVA lands to access the Project reservoirs, shoreline, or BSMH-owned lands must obtain any necessary permits from the USFS, NPS or TVA before BSMH will consider issuing a permit.

BSMH will permit private recreation facilities on Santeetlah Reservoir only. No private recreation facilities are permitted on the three mainstem reservoirs: Cheoah, Calderwood, and Chilhowee or the Cheoah River and Calderwood Bypass.

These Specifications apply to private recreation facilities for either a single lot or two adjoining lots on Santeetlah Reservoir. All other facilities are governed by BSMH's Subdivision Access Approval, Multi-use Facility Permitting, and Industrial Approval Procedures.

BSMH permits private recreation facilities on Santeetlah Reservoir by permit only. The only new facilities permitted are (i) a stationary pier, ramp and floating dock combination, (ii) a ramp and floating dock combination or (iii) a floating dock (hereinafter all three will be referred to as a "pier"). Several examples of pier design are attached hereto. No other facilities, structures or uses are permitted, unless authorized under BSMH's Shoreline Stewardship Policy. Based on the requirements set forth in these Specifications, not all lots adjacent to Santeetlah Reservoir may be eligible for a pier.

A property owner may be eligible (eligible property owner) for a private recreation facility permit from BSMH because of being an adjoining property owner. An adjoining property owner is defined as: (i) having land immediately adjacent to the Santeetlah Reservoir shoreline, defined as the normal full-pool elevation of the reservoir, (ii) having land immediately adjacent to BSMH-owned lands and BSMH has granted permission to access the reservoir across BSMH-owned lands, or (iii) having land that abuts USFS land, the USFS property to be crossed is less than or equal to 150-ft in width, and a Special Use Permit from the USFS entitling the property owner to cross USFS lands to access the reservoir.

These Specifications should be read in conjunction with BSMH's Shoreline Stewardship Policy, which outlines the rights and responsibilities of BSMH and other property owners along the BSMH Project reservoirs.

BSMH will review and update these Specifications in conjunction with the SMP as necessary every ten years in consultation with the North Carolina Department of Environment and Natural Resources, North Carolina Wildlife Resources Commission, North Carolina State Historic Preservation Office, USFS, U.S. Fish and Wildlife Service, Bureau of Indian Affairs, GSMNP, Eastern Band of Cherokee Indians, Cross Creek Property Owners Associations, Friends of Lake Santeetlah, Town of Lake Santeetlah, Town of Robbinsville, Graham County, Sierra Club, American Rivers, Tennessee Clean Water Network, The Nature Conservancy, Tennessee Department of Environment and Conservation, Tennessee Wildlife Resources Agency, Tennessee Historical Commission, and the Tennessee State Historic Preservation Office. SMP updates will be filed with FERC for approval.

## **2 PERMITS**

- 2.1 Before starting to construct a pier, eligible property owners must submit a written application to BSMH. The written request must include a copy of the eligible property owner's deed, a plat showing the location of the dwelling and the location and dimensions of the proposed pier (i.e. a plan view), and, if applicable, a copy of the USFS Special Use Permit. Receipt of a complete application is necessary before BSMH will consider issuing a construction permit to the eligible property owner. As part of the application process, the eligible property owner must also arrange an on-site visit with a BSMH representative by writing Brookfield Smoky Mountain Hydropower

314 Growdon Boulevard, Maryville, TN. 37801 or calling 865-803-3899 and submitting the following: Name, Address, Telephone, Development, Section, Lot Number, Tax Map, Parcel Number and survey or dimensions of lot. Additional information regarding application procedures is available on BSMH's website at [www.smokymountainhydro.com](http://www.smokymountainhydro.com).

- 2.2 Before starting to modify (reconstruct, add onto, expand, etc.) a pier, the eligible property owner must submit a written application to BSMH. The written request must include a copy of the eligible property owner's deed, a plat showing the location of the dwelling and the location and dimensions of the proposed modifications (i.e. a plan view), and if applicable, an application fee and a copy of the USFS Special Use Permit. Receipt of a complete application is necessary before BSMH will consider issuing a construction permit to the eligible property owner. Additional information regarding application procedures is available on BSMH's website at [www.smokymountainhydro.com](http://www.smokymountainhydro.com).
- 2.3 Repairs<sup>1</sup> to piers do not generally require prior written authorization from BSMH. Additional guidance regarding whether a permit is necessary may be obtained from BSMH by calling 865-803-3899.
- 2.4 Once constructed, a pier requires a private recreation facility permit from BSMH. Private recreation facility permits extend for a five-year period from January 1 through December 31 and must be renewed prior to expiration.
- 2.5 Piers permitted by BSMH are not to be used for docking or mooring houseboats. For purposes of these Specifications, a houseboat is defined as any vessel (enclosed or otherwise) that has a galley, head, or pump-out facility. Additionally, BSMH does not permit floating trampolines on the Project reservoirs.<sup>2</sup>
- 2.6 The construction, placement and use of piers shall not interfere with navigation, ingress, or egress to adjoining properties, or in any manner present a safety hazard or nuisance and must be consistent with the Shoreline Stewardship Policy and other environmental values of the reservoir. BSMH strongly encourages property owners to consider the interests of adjoining property owners and the public in locating, constructing, and using their piers and watercraft.
- 2.7 All other activities undertaken in the Project reservoirs, along the shoreline, or on BSMH-owned lands including installation or maintenance of shoreline erosion control measures, steps, vegetation removal and excavation require a written activity permit from BSMH before work begins. The Shoreline Stewardship Policy identifies permitted activities in the Project reservoirs, along the shoreline, and on BSMH-owned lands and the procedures

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<sup>1</sup> "Repair" is defined as an action that requires no county building permit and results in no change in the footprint or operation of the facility.

<sup>2</sup> Floating trampolines existing on the date of the filing of the Project SMP with FERC will be "grandfathered".

and requirements related to the activity permit. In some cases, the permission for these activities may be included in a construction permit or private recreation facility permit.

- 2.8 Private recreation facility permits, construction permits, and activity permits are of limited duration and are terminable by BSMH according to their terms and as provided in Section 8. To help defray the cost of administration, BSMH may charge a separate fee for each type of permit. A list of current fees is attached hereto.
- 2.9 All new construction, modifications, repairs, or other activities undertaken must be done in compliance with these Specifications, the Shoreline Stewardship Policy, and the terms of the construction permit or activity permit.<sup>3</sup> The eligible property owner is responsible for correcting or removing any structures, facilities, or activities that were not explicitly authorized in the written permit from BSMH.

### **3 CONSTRUCTION STANDARDS**

- 3.1 During the on-site visit for a new pier, BSMH will make a general inspection of the planned pier site. BSMH will check the location of the planned pier with respect to known archaeological sites to determine if any known sites are located in close proximity to the proposed pier location. If there is a known archaeological site proximate to the location of the planned pier site, BSMH will consult with the North Carolina Department of Cultural Resources (NCDRC) and the Eastern Band of Cherokee Indians (EBCI) Tribal Historic Preservation Office (THPO) to determine what, if any, measures should be taken.
- 3.2 BSMH will also make a general survey of the site to determine the presence of important environmental resources. In cases where there are unique or important environmental features proximate to the site, BSMH may choose to consult with the North Carolina Wildlife Resources Commission (NCWRC), the North Carolina Department of Environment and Natural Resources (NCDENR), the U.S. Fish and Wildlife Service (USFWS), and the USFS to determine if measures should be taken to protect the feature(s).
- 3.3 All permitted piers must display the permit number near the right corner of the pier facing the reservoir. Numbers will be furnished by BSMH.
- 3.4 Two-inch (2”) minimum diameter blue-colored reflectors must be placed at eight-foot intervals along the water ends of the pier and at the corners.
- 3.5 Piers must be constructed of treated lumber and pilings, grade marked by the American Wood Preservers’ Bureau or plastic lumber, suitable for direct contact with water. Other materials made specifically for piers may be used with the prior written approval of

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<sup>3</sup> BSMH regularly monitors activities and structures on the reservoir, along the shoreline, and on BSMH-owned lands and will require corrective action in accordance with these Specifications if it observes non-compliant activities or structures.\_\_\_\_

BSMH. Manufactured plastic-encased flotation devices will be permitted as flotation. BSMH will not permit unprotected styrofoam, metal barrels or similar metal flotation devices, creosote material either pressure or dipped treated, utility poles or railroad ties.

3.6 If cables are used to anchor a pier, the following shall apply:

1. Cables shall not be anchored to any trees nor anchored in such a manner that would damage any trees.
2. If anchored to USFS property the adjoining property owner shall conform to USFS regulations and have written approval from the USFS for such installation before BSMH will consider issuing the construction permit.
3. Cables anchored in the water shall be so located that outboard boats can pass over them without damage.

#### **4 EXISTING RECREATION FACILITIES**

4.1 Existing, licensed private recreation facilities and/or floating trampolines that pose no environmental or public safety hazards are “grandfathered” and are allowed to remain in place, as the facilities existed on the date of the filing of the BSMH Project SMP with FERC together with any subsequent modifications approved by BSMH pursuant to a written construction permit, so long as (i) the owners comply with their current license, the Shoreline Stewardship Policy, and all other applicable BSMH procedures and requirements, and (ii) the facilities are maintained in good repair and comply with all applicable state and local health and safety requirements. A written construction permit from BSMH is required for modifications to existing “grandfathered” facilities. Additional guidance may be obtained from BSMH by calling 865-803-3899.

4.2 Eligible property owners with an existing licensed pier that does not meet the standards outlined in Section 4.1 above must correct the condition or remove the structure. Any replacement structure must conform to these Specifications.

4.3 An eligible property owner either seeking to replace or rebuild an existing licensed structure must conform to these Specifications.

#### **5 LICENSE AND PERMIT TRANSFER**

5.1 Generally, licenses and permits are transferable, so long as (i) the facilities have been maintained in good repair and comply with all applicable state and local health and safety standards, (ii) the current property owner (seller) has complied with the current license or permit, the Shoreline Stewardship Policy, and all other applicable BSMH procedures and requirements, and (iii) the new property owner (purchaser) has signed a new permit.

5.2 Prior to the sale or transfer of adjoining property, the seller or the seller’s agent must contact BSMH to request a license or permit transfer (this may done by calling

865-803-3899). Upon request, BSMH will arrange a site visit. If (i) the facilities are determined to be in good repair and in compliance with all applicable state and local health and safety requirements, (ii) the seller has complied with the current license or permit and all applicable BSMH procedures and requirements, and (iii) all fee payments are up to date, BSMH will provide the seller or seller's agent with a form to request transfer of the license or permit. In order for the transfer to be effective, a new permit must be completed and signed by the purchaser at the time of closing. If the facilities are deemed not transferable, BSMH will provide the seller or the seller's agent with a written description of repairs (up to and including replacement of the existing structure with a compliant structure) or other actions that must be undertaken before the facilities will be transferable.

## **6 CRITERIA FOR NEW INDIVIDUAL AND SHARED PIERS**

In order to qualify for a permit for a new pier, the pier must meet the following criteria. Boat houses, sun-decks, lighting, or "on-pier" structures (except for seating and boat lifts that are in conformance with the Specifications) are not permitted.

BSMH reserves the right to make the final determination regarding the size of a pier based on the particular conditions of the lot. The narrowness of certain coves and/or lay of some lots may cause BSMH to either deny a permit or issue a permit for a pier that is smaller than the maximum dimensions stated herein.

### **6.1 Piers**

6.1.1 All adjoining lots used for a single residence or under single ownership are considered to be one lot.

6.1.2 A dwelling must exist on the lot or be under roof before BSMH will consider issuing a permit.<sup>4</sup>

6.1.3 No more than one pier shall be located at each single-family residence. Multi-occupancy piers intended for subdivisions or dwellings such as townhouses or condominiums are addressed in BSMH's Subdivision Access Approval, Multi-use Facility Permitting, and Industrial Approval Procedures. Criteria for shared piers are addressed in Section 6.2 of these Specifications.

6.1.4 The eligible property owner's lot must have a minimum lot width along the reservoir of 50-ft as measured along the contour of the land of the eligible property owner's lot. For eligible property owners whose access to the reservoir is across BSMH-owned land or

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<sup>4</sup> BSMH will rely on Graham County's definition of dwelling unit when it considers whether a dwelling exists on the lot or is under roof. Currently, Graham County defines "dwelling unit" as a single unit providing complete independent living facilities for one or more persons, including permanent provision for living, sleeping, eating, cooking, and sanitation. A dwelling shall not mean any recreational vehicle or bus.

USFS land, the minimum lot width of 50-ft will be determined by extending the eligible property owner's lot lines across BSMH-owned land or USFS land to the reservoir and then measuring the width along the contour of the BSMH-owned land or USFS land.

- 6.1.5 The pier must end in a floating section, which is able to move with the rise and fall of the reservoir's water level.
- 6.1.6 The pier must meet applicable county and state building codes.
- 6.1.7 The pier must be located as near as possible to the middle of the eligible property owner's lot(s) and may not encroach across the projected side property lines of the owner's property.
- 6.1.8 Maximum length. The total maximum length of the pier shall not exceed 50-ft as measured from the normal full-pool (1940.9-ft contour).
- 6.1.9 Cove width. Piers will not be permitted in coves less than 100-ft in width. If located in a cove, the pier must not extend more than 50-ft from the normal full-pool elevation or extend more than 25% across the width of the cove at its narrowest location from the normal full-pool elevation, excluding the length of any moored boats, whichever is less. BSMH retains the right to limit a pier length based on this requirement.
- 6.1.10 Minimum width of stationary section and ramp. The stationary section and ramp of a pier must have a minimum width of 3-ft.
- 6.1.11 Minimum width of floating section. No portion of the floating section shall be less than 4-ft in width.
- 6.1.12 Maximum Total Area. The maximum total area of a pier (stationary, ramp, floating dock combination or ramp and floating dock combination) must not exceed 500 square feet, excluding boat slips<sup>5</sup>, boat lifts and personal watercraft (PWC) accommodations. The maximum total area of just a floating dock must not exceed 160 square feet (10-ft x 16-ft) for lots 50-ft in width or 288 square feet (12-ft x 24-ft) for lots 100-ft in width. Boat slips are not allowed if the pier is just a floating dock.
- 6.1.13 The design and construction of the pier must not accommodate more than two boats and two PWCs. Additional non-motorized watercraft, such as a canoe or kayak, may be stored on the pier.
- 6.1.14 The design and construction of the pier must incorporate fish friendly measures. Some general information on fish friendly piers is included as an attachment to these Specifications.

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<sup>5</sup> A "boat slip" is defined as an unroofed structure confined by three sides used for temporary or permanent storage and/or mooring of a watercraft.

6.1.15 If the pier is designed with boat lifts or accommodations for PWCs, they must be mounted and operate on the floating portion of the pier and cannot have supports resting on the reservoir bottom.

## 6.2 Shared Piers

6.2.1 Two adjoining lots of 25-ft minimum shoreline width each, as measured along the contour of the land of the eligible property owner's lot, may share a pier. For eligible property owners whose access to the reservoir is across BSMH-owned land or USFS land, the minimum lot width of 25-ft will be determined by extending each eligible property owner's lot lines across BSMH-owned land or USFS land to the reservoir and then measuring the width along the contour of the BSMH-owned land or USFS land. Shared piers must be located on or close to the adjoining property line.

6.2.2 Criteria for shared piers are the same as for individual piers, except for criteria regarding lot width.

6.2.3 Shared pier applicants are individually and jointly responsible for compliance with these Specifications, the Shoreline Stewardship Policy, and all other applicable BSMH policies, procedures, and requirements. Failure of one applicant to comply therewith may render both applicants ineligible for a pier and subject to other enforcement, as provided below.

## 7 ELECTRICAL INSTALLATIONS

7.1 All electrical installations on piers must meet the current version of all applicable county and state codes governing electrical installations and be in accordance with the current version of the National Electrical Code Standards for Wet Location, Marinas and Boatyards, and the National Electrical Safety Code. It is exclusively and specifically the responsibility of the eligible property owner to ensure that electrical installations comply with all applicable codes.

7.2 All electrical installations shall be installed by a state-licensed electrician.

7.3 All electrical installations shall be inspected and certified by the county and a copy of the county's inspection certificate must be provided to BSMH.

7.4 Lighting on piers is prohibited.

## 8 ENFORCEMENT

8.1 BSMH believes that property owners appreciate the beauty and importance of the BSMH Project reservoirs and shorelines and will comply with these Specifications. In those instances where violations of these Specifications occur, however, BSMH will consider those violations as serious matters. Violations of these Specifications include: (i) any failure to comply with the provisions of these Specifications, the Shoreline

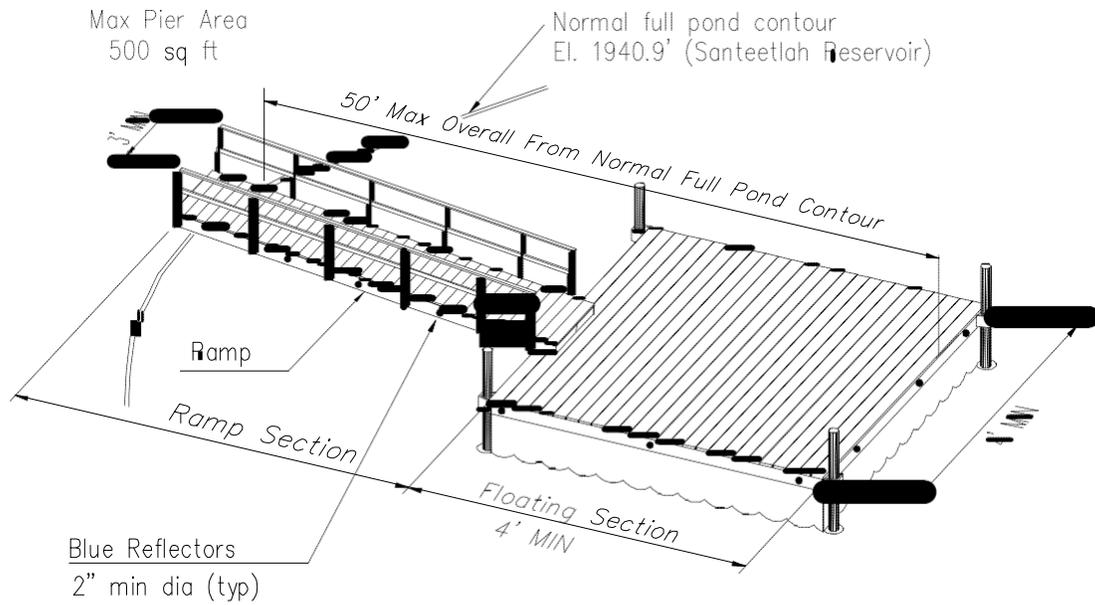
Stewardship Policy or other applicable BSMH procedures or requirements; and (ii) failure to obtain or to comply with written permission from BSMH, where required, before undertaking construction or other activities.

- 8.2 BSMH will notify the USFS of any enforcement actions on a facility which abuts USFS lands and will encourage the USFS to notify it of any enforcement action that the USFS takes with regard to an activity on lands that abut the reservoir or BSMH-owned lands.
- 8.3 The primary sanctions for violations of these Specifications are loss of eligibility for: (i) a private (individual or shared) recreation facility permit within the Project Boundary (i.e. on the reservoir); and (ii) where applicable, use of, or private access to the reservoir and/or BSMH-owned lands. BSMH will also require corrective action including but not limited to restoration and/or mitigation. Eligibility may be reinstated only where adequate restoration and/or mitigation is undertaken and BSMH determines that reinstatement of eligibility is otherwise consistent with the underlying goals reflected in these Specifications, the Shoreline Stewardship Policy, and BSMH's Shoreline Management Plan. BSMH, as it deems appropriate, will consult with federal and state regulatory agencies in determining adequate restoration and/or mitigation measures.
- 8.4 In addition, in the event of a violation of these Specifications, BSMH, at its sole option, has the right to: (i) terminate any existing licenses or permits, (ii) erect a barrier to restrict access to the reservoir or BSMH-owned lands, and (iii) require, at the eligible property owner's sole expense, (a) removal of any piers, steps, walkways, or other facilities and structures located in the reservoir, along the shoreline, or on BSMH-owned lands and (b) restoration and/or mitigation, up to and including the reservoir, the shoreline, and/or BSMH-owned lands to their original condition. In addition, if the adjoining property owner fails to take the required action after notice from BSMH, BSMH will consider any facilities and structures remaining in the reservoir, along the shoreline, and/or on BSMH-owned lands as a trespass upon its property, and reserves the right to, at the eligible property owner's sole expense, remove the facilities and structures, treat them as its own property without any liability to the adjoining property owner for payment, and perform the required restoration and/or mitigation. BSMH also may pursue any other rights or remedies, including damages, it may have in any permit, or at law or in equity.

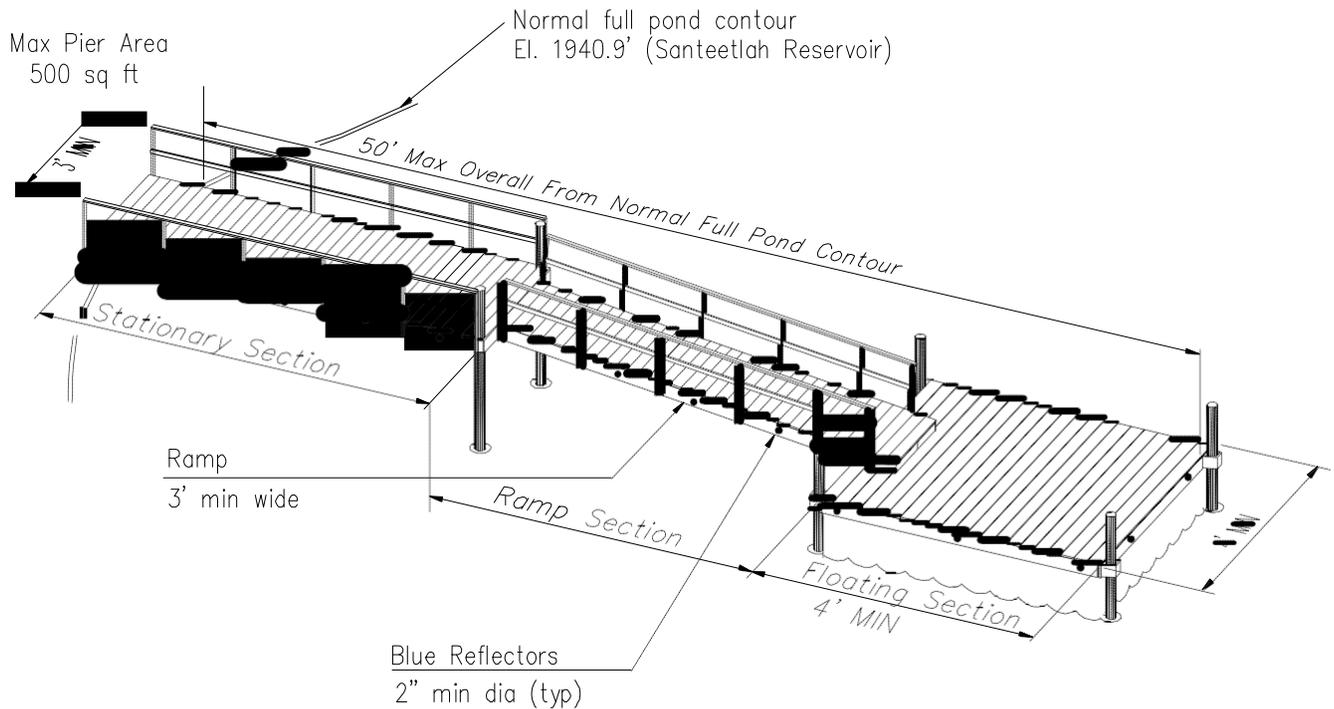
## **9 ACTIVITY PERMITS**

Eligible property owners seeking permission to undertake any activity in the Project reservoirs, along the shoreline, or on BSMH-owned lands must obtain a written activity permit from BSMH. The Shoreline Stewardship Policy sets forth the uses and activities that may be permitted by BSMH in the Project reservoirs, along the shoreline, and on BSMH-owned lands and the requirements for these uses and activities.

## DIAGRAM A: Private Pier Design with Ramp and Floating Section

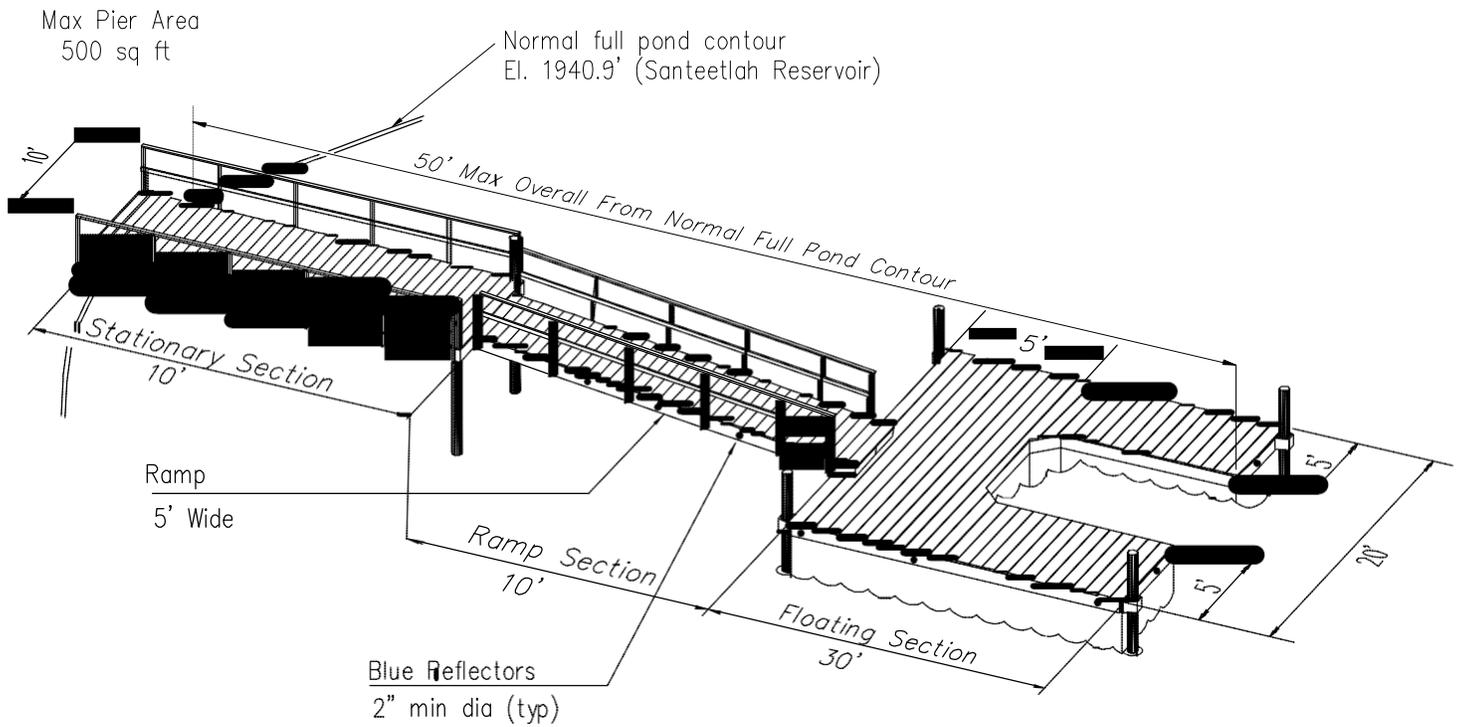


## DIAGRAM B: Private Pier Design with Stationary Section, Ramp and Floating Section



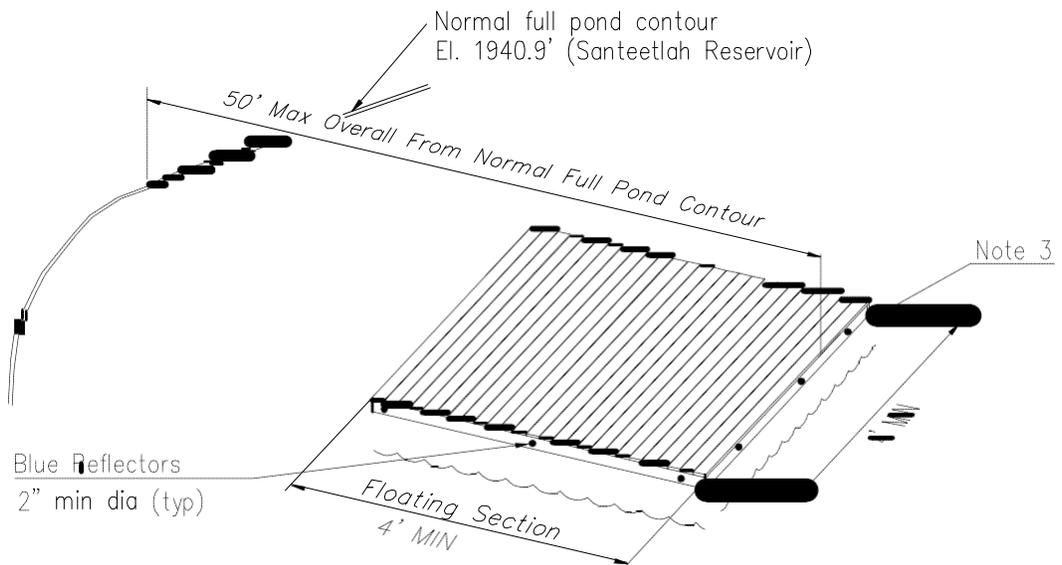
- Notes: 1. The design and construction of the pier must not accommodate more than two boats and two PWC.  
2. Maximum pier areas excludes boat slip, boat lifts, and PWC accommodations (not shown in figures).

### DIAGRAM C: Sample Private Pier Design with Stationary Section, Ramp and Floating Section with Slip



Note: See Diagram B for additional requirements and notes

### DIAGRAM D: Private Pier Design with Floating Section



- Notes:
1. The design and construction of the pier must not accommodate more than two boats and two PWC.
  2. Maximum pier area excludes boat slip, boat lifts, and PWC accommodations (not shown in figure).
  3. Cables may be used to anchor pier per Appendix B guidelines.

## **Fish Friendly Piers**

Shoreline development, such as the clearing of natural vegetation, pier construction, and shoreline stabilization, can alter the availability and diversity of fish habitat. The design and construction of private recreation facilities (i.e. piers) on Santeetlah Reservoir must incorporate fish friendly measures (see Section 6.1.14 of these Specifications). The addition of artificial fish habitat structures or brush piles under the stationary section of piers will provide habitat and cover for fish and enhance spawning areas, survival of juvenile fish, and fishing opportunities. Artificial structures can be constructed or purchased. Generally, brush piles are pruned tree branches (preferably hardwoods) that are bundled together and anchored beneath the pier to provide structurally complex habitat. Any fish friendly measures added to a pier on Santeetlah Reservoir must be well-secured and anchored and must not interfere with navigation.

**Brookfield Smoky Mountain Hydropower LLC  
Permitting Fee Schedule for Private Recreation Facilities  
Effective October 2004**

<b>Private Recreation Facility Fees</b>	
<b>Facility/Activity Description</b>	<b>Fee</b>
Private Facility Permit Fee (every five years)	\$50/five years

Note: These are BSMH permitting fees only, and do not include any other fees charged by state or federal agencies that may have jurisdiction over these facilities. The applicant will be responsible for any fees associated with securing other necessary approvals.