



**Tennessee Valley Authority
Section 26a Approval**

Permit # 4020235	Revision # 0	Reservoir Nottely	Category 2
DOT Project #			

John and Laurie Carroll	822 Waterford Estates Manor Canton, GA 30115	678-634-5412 770-855-0345	zekeandlaurie@comcast.net
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Tract(s): NLR-50F

Stream	Mile	Bank	Map Sheet(s)
Nottely R	22.2	Right	2 C/D Stage

Subdivision/Lot(s)

Subdivision: N/A

The facilities and/or activities listed below are APPROVED subject to and must be conducted in compliance with the plans and conditions attached. SEE ATTACHED PLANS FOR APPROVED DIMENSIONS.

1. Access Walkway-Fixed	Length: 100 ft	Width: 5 ft	
2. Access Walkway-Floating	Length: 20 ft	Width: 4 ft	
3. Boat Slips - Floating - Covered	Length: 24 ft	Width: 24 ft	Height: 12 ft
4. Steps	Length: 12 ft	Width: 6 ft	

This permit SUPERSEDES all previous TVA approvals at this location including permits approved under land record numbers:

259903

TVA Representative: Nicholas Ryan Cook **Date:** 08/23/2022

May require review by U.S. Army Corps of Engineers (USACE). Plans have been forwarded to the USACE. Applicant is also responsible for all local and state approvals that may be required relating to water quality.

No construction shall commence until you have written approval or verification that no other permit is required.

GENERAL AND STANDARD CONDITIONS

Section 26a

GENERAL CONDITIONS

1. You agree to make every reasonable effort to construct and operate the facility authorized herein in a manner so as to minimize any adverse impact on water quality, aquatic life, wildlife, vegetation, and natural environmental values.
2. This permit may be revoked by TVA by written notice if:
 - a. the structure is not completed in accordance with approved plans;
 - b. you fail to comply with any condition contained in this approval;
 - c. if in TVA's judgment the structure is not maintained in a good state of repair and in good, safe, and substantial condition;
 - d. the structure is abandoned;
 - e. the structure or work must be altered or removed to meet the requirements of future reservoir or land management operations of the United States or TVA;
 - f. TVA finds that the structure has an adverse effect upon navigation, flood control, or public lands or reservations;
 - g. all invoices related to this permit are not timely paid;
 - h. you no longer have sufficient property rights to maintain a structure at this location; or
 - i. a land use agreement (e.g., license, easement, lease) for use of TVA land at this location related to this permit expires, is terminated or cancelled, or otherwise ceases to be effective.
3. If this permit for this structure is revoked, you agree to remove the structure, at your expense, upon written notice from TVA. In the event you do not remove the structure within 30 days of written notice to do so, TVA shall have the right to remove or cause to have removed, the structure or any part thereof. You agree to reimburse TVA for all costs incurred in connection with removal.
4. In issuing this Approval of Plans, TVA makes no representations that the structures or work authorized or property used temporarily or permanently in connection therewith will not be subject to damage due to future operations undertaken by the United States and/or TVA for the conservation or improvement of navigation, for the control of floods, or for other purposes, or due to fluctuations in elevations of the water surface of the river or reservoir, and no claim or right to compensation shall accrue from any such damage. By the acceptance of this approval, applicant covenants and agrees to make no claim against TVA or the United States by reason of any such damage, and to indemnify and save harmless TVA and the United States from any and all claims by other persons arising out of any such damage.
5. In issuing this Approval of Plans, TVA assumes no liability and undertakes no obligation or duty (in tort, contract, strict liability or otherwise) to the applicant or to any third party for any damages to property (real or personal) or personal injuries (including death) arising out of or in any way connected with applicant's construction, operation, or maintenance of the facility which is the subject of this Approval of Plans.
6. You are responsible for obtaining all necessary licenses, permits, and/or approvals required by local, state, or federal statute, regulation, or code prior to commencing any construction activities. This permit is not a substitute for any such requirements.
7. You must conduct all activities authorized by this permit in a manner that complies with all applicable local, state and federal laws, and all licenses, permits, and/or approvals issued thereunder.
8. If your activity is subject to Section 401 water quality certification, you must comply with the conditions of any enclosed certification. Those conditions are incorporated into and made a part of this permit approval.
9. This permit supersedes all verbal communications related to the work authorized. The facility will not be altered, or modified, unless TVA's written approval has been obtained prior to commencing work.
10. You understand that covered second stories are prohibited by Section 1304.204 of the Section 26a Regulations.
11. You agree to notify TVA of any transfer of ownership of the approved structure to a third party. Third party is required to make application to TVA for permitting of the structure in their name (1304.10). Any permit which is not transferred within 60 days is subject to revocation.
12. You agree to stabilize all disturbed areas within 30 days of completion of the work authorized. All land-disturbing activities shall be conducted in accordance with Best Management Practices as defined by Section 208 of the Clean Water Act to control erosion and sedimentation to prevent adverse water quality and related aquatic impacts. Such practices shall be consistent with sound engineering and construction principles; applicable federal, state, and local statutes, regulations, or ordinances; and proven techniques for controlling erosion and sedimentation, including any required conditions under Section 6 of the Standard Conditions.
13. You agree not to use or permit the use of the premises, facilities, or structures for any purposes that will result in draining or dumping into the reservoir of any refuse, sewage, or other material in violation of applicable standards or requirements relating to pollution control of any kind now in effect or hereinafter established.

14. The Native American Graves Protection and Repatriation Act and the Archaeological Resources Protection Act apply to archaeological resources located on the premises of land connected to any application made unto TVA. If applicant (for 26a permit) discovers human remains, funerary objects, sacred objects, objects of cultural patrimony, or any other archaeological resources on or under the premises, applicant shall immediately stop activity in the area of the discovery, make a reasonable effort to protect the items, and notify TVA by telephone (865-632-2931). Work may not be resumed in the area of the discovery until approved by TVA.
15. You should contact your local government official(s) to ensure that this facility complies with all applicable local floodplain regulations.
16. You agree to abide by the conditions of the vegetation management plan. Unless otherwise stated on this permit, vegetation removal is prohibited on TVA land.
17. You agree to securely anchor all floating facilities to prevent them from floating free during major floods.
18. You are responsible for accurately locating your facility, and this authorization is valid and effective only if your facility is located as shown on your application or as otherwise approved by TVA in this permit. The facility must be located on land owned or leased by you, or on TVA land at a location approved by TVA.
19. You agree to allow TVA employees access to your water use facilities to ensure compliance with any TVA issued approvals.
20. It is understood that you own adequate property rights at this location. If at any time it is determined that you do not own sufficient property rights, or that you have only partial ownership rights in the land at this location, this permit may be revoked. TVA may require the applicant to provide appropriate verification of ownership.
21. In accordance with 18 CFR Part 1304.9, Approval for construction covered by this permit expires 18 months after the date of issuance unless construction has been initiated.

Structures and Facilities

- a. TVA number 4020235 has been assigned and provided for your facility. When construction is complete, this numbered tag shall be placed on the lakeward side on a readily visible part of the outside of the facility.
- b. You agree that this floating facility shall have no side enclosures except wire mesh or similar screening.
- c. Buildings or other enclosed structures containing sleeping or living accommodations, including toilets and related facilities, or that have enclosed floor area in excess of 32 square feet, are prohibited.
- d. You agree that the facilities hereby approved will be used for private use and for no other purpose unless approved in writing from TVA.
- e. You are hereby advised that the minimum top elevation of your fixed dock should be 2 feet above the normal summer pool elevation of 1777.
- f. You are hereby advised that the subject facilities will be on a recreational navigation channel and may be vulnerable to wave wash and possible collision damage from passing vessels.
- g. You agree to securely anchor all floating facilities to prevent them from floating free during major floods. All anchoring cables or spud poles must be anchored to the walkway or the ground in a way that will not accelerate bank erosion. Anchoring of cables, chains or poles to trees on TVA property is not permitted.

Ownership Rights

- a. You are advised that TVA retains the right to flood this area and that TVA will not be liable for damages resulting from flooding.
- b. You recognize and understand that this authorization conveys no property rights, grants no exclusive license, and in no way restricts the general public's privilege of using shoreland owned by or subject to public access rights owned by TVA. It is also subject to any existing rights of third parties. Nothing contained in this approval shall be construed to detract or deviate from the rights of the United States and TVA held over this land under the Grant of Flowage Easement. This Approval of Plans does not give any property rights in real estate or material and does not authorize any injury to private property or invasion of private or public rights. It merely constitutes a finding that the facility, if constructed at the location specified in the plans submitted and in accordance with said plans, would not at this time constitute an obstruction unduly affecting navigation, flood control, or public lands or reservations.

Best Management Practices

- a. You agree to installation of cofferdams and/or silt control structures between construction areas and surface waters prior to any soil-disturbing construction activity, and clarification of all water that accumulates behind these devices to meet state water quality criteria at the stream mile where activity occurs before it is returned to the unaffected portion of the stream. Cofferdams must be used wherever construction activity is at or below water elevation.
- b. You agree to keep equipment out of the reservoir or stream and off reservoir or stream banks, to the extent practicable (i.e., performing work "in the dry").
- c. You agree to avoid contact of wet concrete with the stream or reservoir, and avoid disposing of concrete washings, or other substances or materials, in those waters.
- d. You agree to use erosion control structures around any material stockpile areas.
- e. You agree to remove, redistribute, and stabilize (with vegetation) all sediment which accumulates behind cofferdams or

silt control structures.

- f. You agree to use vegetation (versus riprap) wherever practicable and sustainable to stabilize streambanks, shorelines, and adjacent areas. These areas will be stabilized as soon as practicable, using either an appropriate seed mixture that includes an annual (quick cover) as well as one or two perennial legumes and one or two perennial grasses, or sod. In winter or summer, this will require initial planting of a quick cover annual only, to be followed by subsequent establishment of the perennials. Seed and soil will be protected as appropriate with erosion control netting and/or mulch and provided adequate moisture. Streambank and shoreline areas will also be permanently stabilized with native woody plants, to include trees wherever practicable and sustainable (this vegetative prescription may be altered if dictated by geologic conditions or landowner requirements). You also agree to install and perform additional erosion control structure/techniques deemed necessary by TVA.

Additional Conditions

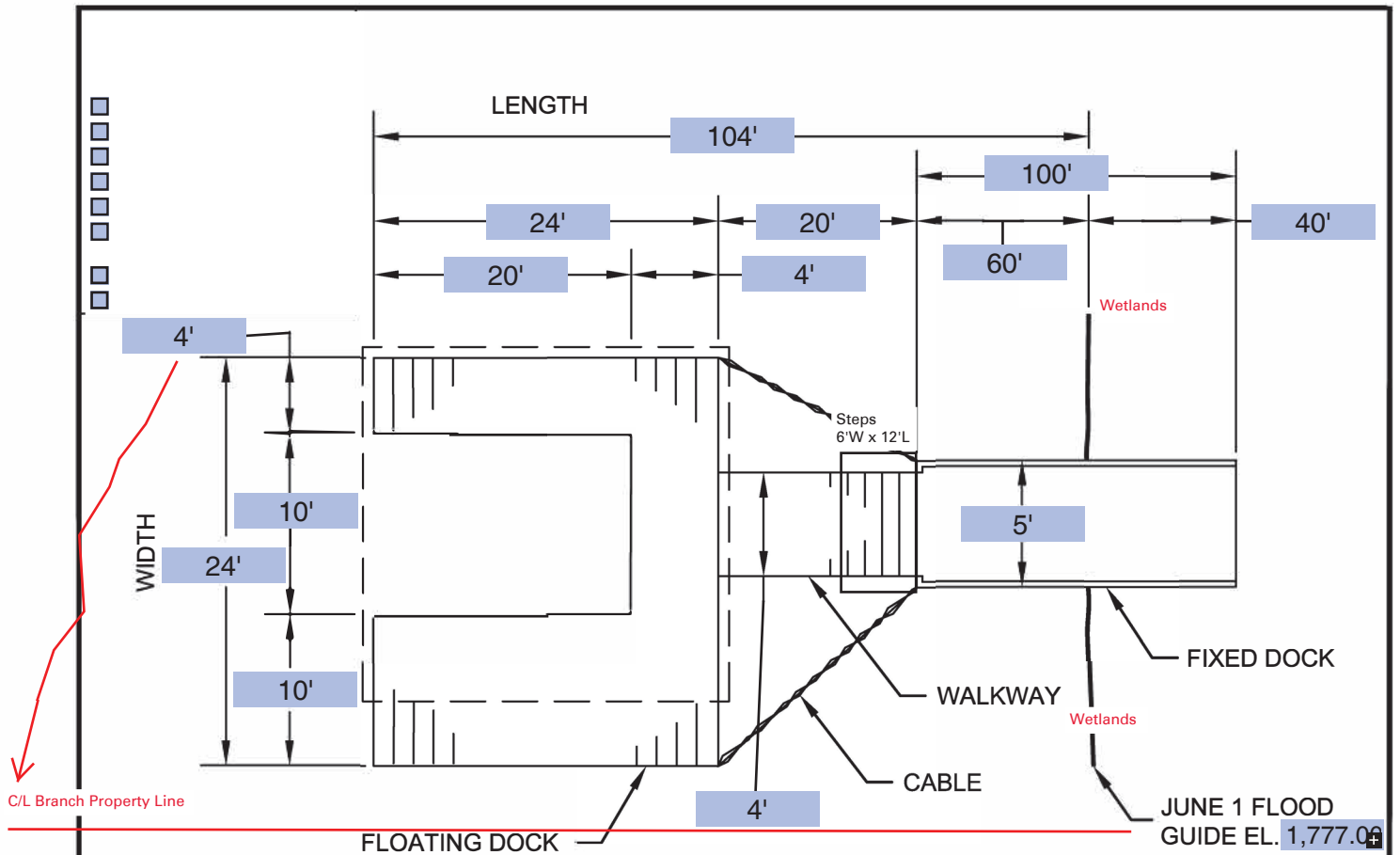
This permit is valid for John & Laurie Carroll.

Permitted items must be contained on property you own or lease. Transfer of property ownership requires a new Section 26a Application.

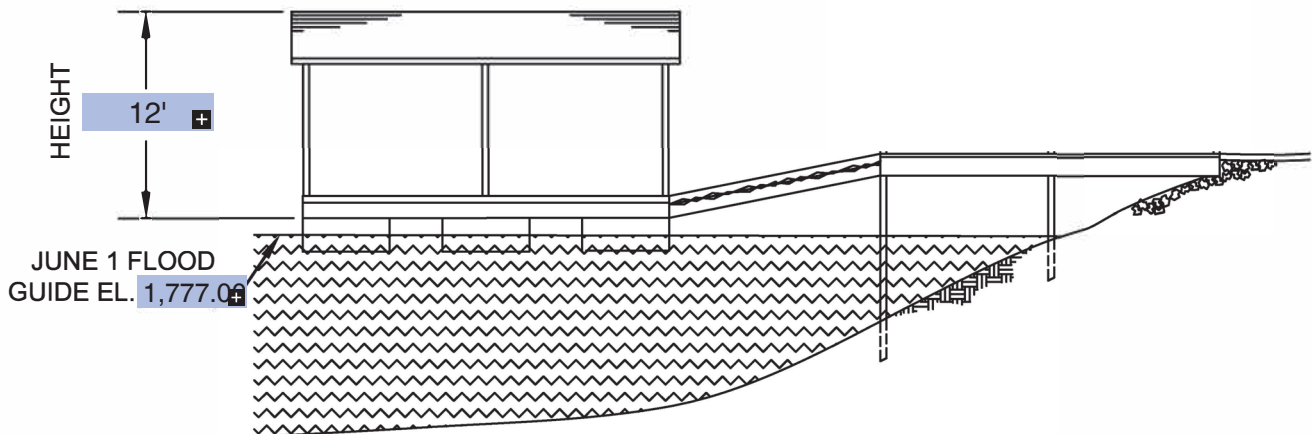
This facility is permitted at 1777 elevation for Nottely Reservoir.

Recommended Bat Conservation Measures:

- Noise will be short-term, transient, and not significantly different from urban interface or natural events (i.e., thunderstorms) that bats are frequently exposed to when present on the landscape.
- Operations involving chemical/fuel storage or resupply and vehicle servicing will be handled outside of riparian zones (streamside management zones) in a manner to prevent these items from reaching a watercourse. Earthen berms or other effective means are installed to protect stream channel from direct surface runoff. Servicing will be done with care to avoid leakage, spillage, and subsequent stream, wetland, or ground water contamination. Oil waste, filters, other litter will be collected and disposed of properly. Equipment servicing and chemical/fuel storage will be limited to locations greater than 300-ft from sinkholes, fissures, or areas draining into known sinkholes, fissures, or other karst features.
- Evaluate the use of outdoor lighting during the active season and seek to minimize light pollution when installing new or replacing existing permanent lights by angling lights downward or via other light minimization measures (e.g., dimming, directed lighting, motion-sensitive lighting).



TOP VIEW



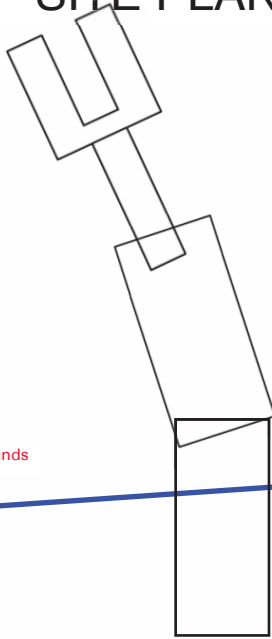
Facility must not at any time exceed more than 1/3 total cove width

SIDE VIEW

FIXED AND FLOATING COVERED BOATSLIP WITH SWIM DECK ON LEFT

Applicant	John & Laurie Carroll	ID:	4020235
Reservoir:	NLR-50F	Tract:	NLR-50F
Subdivision:	n/a	Lot Number:	n/a
Lakeward Extension:	104'	June 1 Flood Guide Elevation:	1777'
Facility Footprint:	576 sq ft	River / River Mile:	Nottely 22.2R

SITE PLAN



Nottely RESERVOIR

NORMAL SUMMER
OPERATING LEVEL EL.

1777'

Wetlands

Wetlands

CONTOUR
ELEVATION

1785'

Facility Footprint - 576 sq ft
Lakeward Extension - 104'

SITE PLAN

PROJECT LOCATION INFORMATION:

APPLICANT John & Laurie Carroll

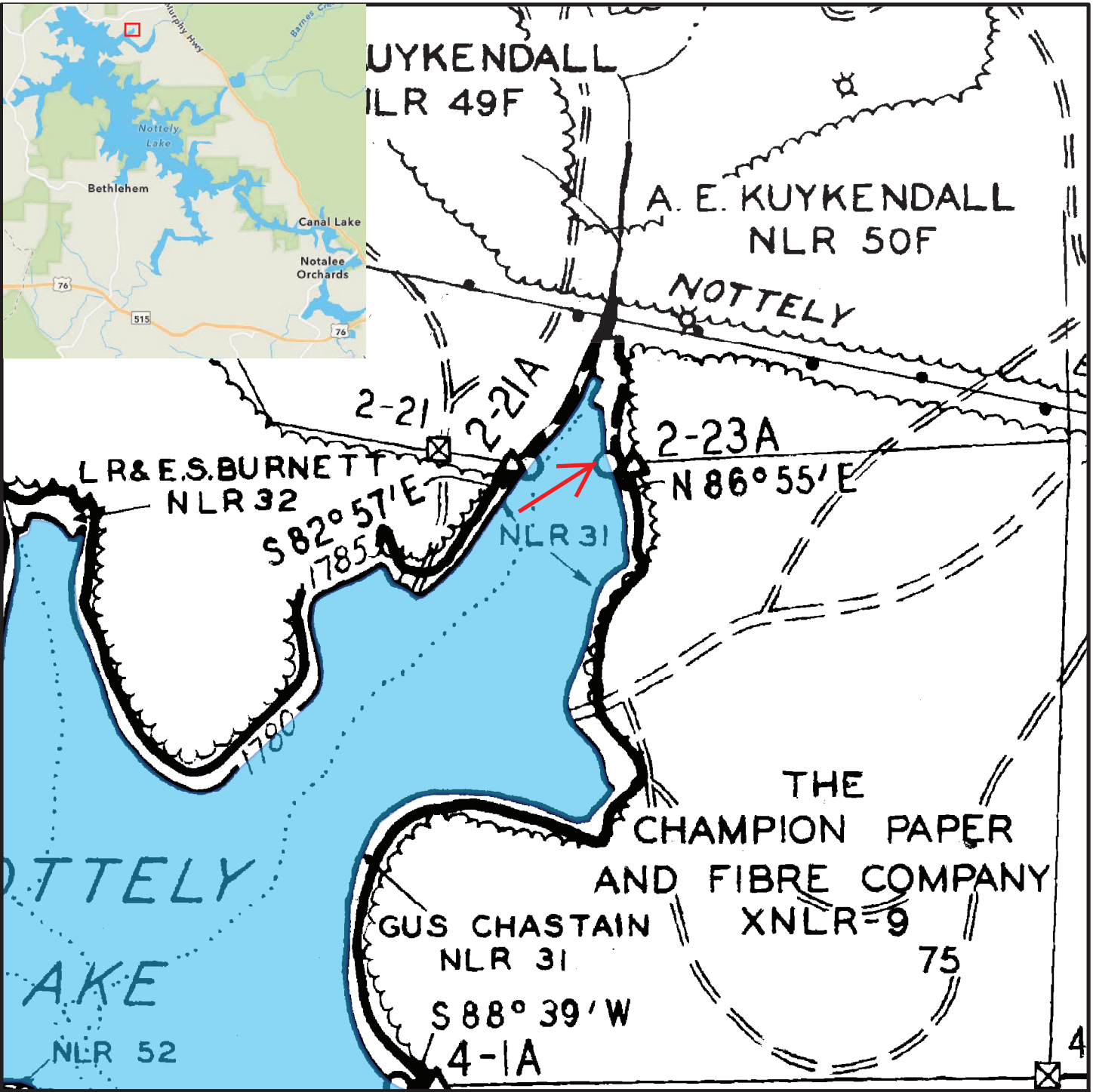
RESERVOIR Nottely

TRACT NUMBER NLR-50F

SUBDIVISION n/a

LOT NO. n/a MAP NO. 2D

RIVER Nottely RIVER MILE 22.2R



Section 26a Map
 John & Laurie Carroll
 ID - 4020235
 NLR-50F

Nottely Reservoir
 Nottely River Mile 22.2R

Map Reference:
 C/D Stage - 2D
 Topo - 142NE

 Section 26a Location
 34.954587 -84.070111 Degrees



Natural Resources
 August 16, 2022



Location information is approximate

4020235

TVA RESTRICTED INFORMATION

JOINT APPLICATION FORM
Department of the Army/TVA

OMB No. 3316-0060
Exp. Date 06/30/2022

The Department of the Army (DA) permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (P.L. 95-217). These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States. Section 26a of the Tennessee Valley Authority Act, as amended, prohibits the construction, operation, or maintenance of any structure affecting navigation, flood control, or public lands or reservations across, along, or in the Tennessee River or any of its tributaries until plans for such construction, operation, and maintenance have been submitted to and approved by the Tennessee Valley Authority (TVA).

Name and Mailing Address of Applicant: John and Laurie Carroll, 822 Waterford Estates Manor, Canton GA, 30115. Email Address: zekeandlaurie@comcast.net. Telephone Number: Home 6786345412, Office, Mobile 7708550345. Name, Mailing Address, and Title of Authorized Agent: Email Address: Telephone Number: Home, Office, Mobile.

Facility/Activity Location (include all known information): Reservoir Nottley. Address: 184 Whisper Cove Rd., Blairsville, GA 30512. Subdivision, Lot No., and/or Tax Parcel No.: 035050A. Stream Name and Mile: Lake Nottley 22.2R. Longitude/Latitude:

Application submitted to [] DA [x] TVA. Date activity is proposed to commence: Date activity is proposed to be completed:

Describe in detail the proposed activity, its purpose and intended use (private, public, commercial, or other). Describe structures to be erected including those placed on fills, piles, or floating platforms. Also, describe the type, composition, and quantity of materials to be discharged or placed in the water; the means of conveyance; and the source of discharge or fill material. Please attach additional sheets if needed.

Previous permit #259903
Change of ownership; no changes to dock/structure

Application is hereby made for approval of the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I understand that TVA and the U.S. Army Corps of Engineers may contact an Authorized Agent listed above and such Agent may act on my behalf on all aspects of this application. I agree that, if TVA approves this application, I will comply with the terms and conditions and any special conditions that TVA may impose. Please note the U.S. Army Corps of Engineers may impose additional conditions or restrictions. 07/20/2022 John and Laurie Carroll Signature of Applicant

Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose properties also join the waterway:

TVA Murphy, NC
Received Date 8/10/2022
Reservoir Nottely
ID 4020235
Amount 500 Ck No 7772
POET 205794:2

TVA RESTRICTED INFORMATION

List of previous DA/TVA permits/approvals DA _____ TVA 259903 _____
Permit Number Permit Number

Previous Property Owner (if known) Ronald and Susan Melillo

Is any portion of the activity for which authorization is sought now complete? Yes No (If "Yes" attach explanation)
 Month and year the activity was completed: _____ . Indicate the existing work on the drawings.

List all approvals or certifications required by other federal, interstate, state, or local agencies for any structures, construction, discharges, deposits, or other activities described in this application.

Issuing Agency	Type Approval	Identification No.	Date of Application	Date of Approval

Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein?
 Yes No (If "Yes" attach explanation)

Project plans or drawings, on paper suitable for reproduction no larger than 11 x 17 inches or in electronic format (dxf, docx, or pdf) must accompany the application. Submit the application to the appropriate TVA and U.S. Army Corps of Engineers offices. An application that is not complete will be returned for additional information.

U.S.A.C.E. Offices		TVA Offices	
U.S. Army Corps of Engineers Eastern Regulatory Field Office 501 Adesa Parkway., Suite 250 Lenoir City, Tennessee 37771 (865) 986-7296	U.S. Army Corps of Engineers Savannah District The Plaza, Suite 130 1590 Adamson Parkway Morrow, Georgia 30260-1763 (678) 422-2729	Tennessee Valley Authority Chattanooga Regional Office 4601 N. Access Road, Bldg. B Chattanooga, Tennessee 37415-3825 1-800-882-5263	Tennessee Valley Authority Murphy Regional Office 4195 West US Highway 64, Suite 10 Murphy, North Carolina 28906 1-800-882-5263
U.S. Army Corps of Engineers Regulatory Branch 3701 Bell Road Nashville, Tennessee 37214 (615) 369-7500	U.S. Army Corps of Engineers Western Regulatory Field Office 2424 Danville Road, SW, Suite N Decatur, Alabama 35603 (256) 350-5620	Tennessee Valley Authority Gray Regional Office 106 Tri-Cities Business Park Drive Gray, Tennessee 37615 1-800-882-5263	Tennessee Valley Authority Muscle Shoals Regional Office Post Office Box 1010, MPB 1H Muscle Shoals, Alabama 35662-1010 1-800-882-5263
U.S. Army Corps of Engineers Norfolk District P.O. Box 338 Abingdon, Virginia 24212 (276) 623-5259	U.S. Army Corps of Engineers Asheville Regulatory Field Office 151 Patton Avenue, Room 208 Asheville, North Carolina 28801-5006 (828) 271-4856	Tennessee Valley Authority Guntersville Regional Office 3941 Brashers Chapel Road Guntersville, Alabama 35976 1-800-882-5263	Tennessee Valley Authority Paris Regional Office 2835-A East Wood Street Paris, Tennessee 38242-5948 1-800-882-5263
		Tennessee Valley Authority Knoxville Regional Office 400 West Summit Hill Drive, WT 11D-K Knoxville, Tennessee 37902 1-800-882-5263	Tennessee Valley Authority Floating Cabin Program Manager 400 West Summit Hill Drive, WT 11D-K Knoxville, Tennessee 37902 1-800-882-5263

Privacy Act Statement

This information is being requested in accordance with Section 26a of the TVA Act as cited on the front page of this form. Disclosure of the information requested is voluntary; however, failure to provide any required information or documents may result in a delay in processing your application or in your being denied a Section 26a permit. An application that is not complete will be returned for additional information. TVA uses this information to assess the impact of the proposed project on TVA programs and the environment and to determine if the project can be approved. Information in the application is made a matter of public record through issuance of a public notice if warranted. Routine uses of this information include providing to federal, state, or local agencies, and to consultants, contractors, etc., for use in program evaluations, studies, or other matters involving support services to the program; to respond to a congressional inquiry concerning the application or Section 26a program; and for oversight or similar purposes, corrective action, litigation or law enforcement.

The information requested in this form becomes part of the Section 26a Permit Application Records Privacy Act System of Records (TVA-36). Authority for maintenance of this system of records is provided by the Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831ee.

The information solicited on this form may be made available as a "routine use." A complete list of the routine uses can be found in the system of records notice associated with this form, Section 26a Permit Application Records, TVA-36. TVA's system of records notices can be found on the TVA website at <https://www.tva.com/infomation/about-the-tva-privacy-program>.

Burden Estimate Statement

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Agency Clearance Officer, Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402; and to the Office of Management and Budget, Paperwork Reduction Project (3316-0060), Washington, D.C. 20503.



**Section 26a Permit and Land Use Application
Applicant Disclosure Form**

By signing the Joint Application Form (Department of Army/TVA) or TVA's Land Use Application and again below, you agree to disclose any business, political, or financial interest that may present an actual or potential conflict of interest with TVA. If a new significant business, political, or financial interest is obtained during the period of the time that the application is under review, you agree to file an additional disclosure.

Disclose if any of the following apply to you (check all that apply). I am:

- An elected government official or a candidate to an elected government office (whether federal, state, or local).
- A senior management level employee of an entity that regulates TVA or its activities.
- A senior management level employee of a power customer of TVA.
- A current TVA employee or Director.
- A former TVA officer or former TVA Director and it is less than one year after my last date of service with TVA.
- A current member of a TVA council created pursuant to the Federal Advisory Committee Act (FACA), such as the Regional Resource Stewardship Council (RRSC) or Regional Energy Resource Council (RERC), or I am a former council member and it is less than one year after my last date of service on the council.
- The spouse or dependent child of any of the above. List which one of the above applies.
- A representative of a corporation or other non-governmental entity submitting an application and one of the above applies to me. Print entity or corporation name, and identify which of the above applies to you.

- A representative of a corporation or other non-governmental entity submitting an application and I have significant financial interest in the corporation or non-governmental entity. Print entity or corporation name.

None of the above

Please sign and return this form with your application **package**. Your application cannot be processed without receipt of this **signed form**.

By signing this form, you consent to this Applicant Disclosure Form being made available to the public in response to an appropriate request, including, without limitation, a request made under the Freedom of Information Act. All applications and communications that occur as part of the application process may be made public to the extent permitted by applicable law, including the Freedom of Information Act and the Privacy Act, and could be reviewed formally by the Office of Inspector General (OIG). All written correspondence regarding your request may be forwarded to the TVA Designated Agency Ethics Official (DAEO) and the OIG, and all oral communication between TVA and the applicant regarding this request may be documented and maintained by TVA.

John and Laurie Carroll
Name of Applicant (Printed)

John and Laurie Carroll
Signature of Applicant

07/20/2022
Date

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of The United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Privacy Act Statement

This information is being requested in accordance with Sections 4(k), 15d, 26a, and/or 31 of the TVA Act; 40 U.S.C. § 1314; 30 U.S.C. § 185; 16 U.S.C. § 667b; and/or 40 U.S.C. § 483. Disclosure of the information requested is voluntary; however, failure to provide any required information or documents may result in a delay in processing your application or in your application being denied. An application that is not complete will be returned for additional information. TVA uses this information to assess the impact of the proposed project on TVA programs and the environment and to determine if the project can be approved. Information in the application is made a matter of public record through issuance of a public notice if warranted. Routine uses of this information include providing to federal, state, or local agencies, and to consultants, contractors, etc., for use in program evaluations, studies, or other matters involving support services to the program; to respond to a congressional inquiry concerning the application or the applicable program; and for oversight or similar purposes, corrective action, litigation, or law enforcement.

The information requested in this form becomes part of the Section 26a Permit Application Records Privacy Act System of Records (TVA-36). Authority for maintenance of this system of records is provided by the Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831ee. The information solicited on this form may be made available as a "routine use." A complete list of the routine uses can be found in the system of records notice associated with this form, "Section 26a Permit Application Records, TVA-36." TVA's system of records notices can be found on the TVA website at <https://www.tva.com/information/about-the-tva-privacy-program>.

Burden Estimate Statement

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Agency Clearance Officer, Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402; and to the Office of Management and Budget, Paperwork Reduction Project (3316-0060), Washington, D.C. 20503.

AUG 10 2022