

Life on the Lakes

Information About Lakes Hamilton & Catherine

New Guidelines Go Into Effect

New general guidelines and specifications for private shoreline facilities and activities went into effect on January 1, 2006. The existing guidelines were revised to better support Entergy's Federal Energy Regulatory Commission (FERC) approved Shoreline Management Plan for Lakes Hamilton and Catherine. Both lakes are part of Project 271, a hydroelectric project licensed by FERC. Entergy owns and operates these lakes and associated lakebed and shoreline lands subject to the license issued and administered by FERC. FERC license Article 412 grants Entergy authority to permit certain types of shoreline use and occupancy along the shoreline.

If Entergy chooses to exercise the above mentioned authority then it is required to manage all use and occupancy of project lands and waters to ensure that all facilities are properly permitted, meet current guidelines and requirements, are maintained in good repair and comply with applicable state and local health and safety requirements. Entergy has chosen to allow lakefront property owners the opportunity and privilege to use and occupy Entergy's shoreline lands and waters and has developed the following minimum guidelines for it to interpret and use to assure compliance with its FERC license and to support Entergy's FERC approved Shoreline Management Plan.

These requirements and specifications for private recreation facilities (boat docks, piers, decks or other floating or stationary facilities) have been developed to encourage fair division of shoreline space among adjacent property owners and the general public, and to minimize environmental and cultural impacts and navigation hazards along the shoreline and reservoirs.

Entergy considers installation of any permitted facility or structures in the reservoirs and the shoreline to be temporary. Accordingly, Entergy requires that all facilities, including, but not limited to, piers, docks, ramps and stairs, be constructed of such materials and in such a manner that allow easy removal and restoration of the shoreline to previous conditions. All construction work by the permittee or his agents must conform to good construction practices by conforming to applicable portions of the Southern Standard Building Code and appropriate state and local codes. A copy of the Southern Standard Building Code is available for viewing at the Garland County Public Library. In some cases, Entergy may require that "Facility" designs be approved by a Professional Engineer licensed in the State of Arkansas.

We have included in this newsletter, Entergy's revised guidelines in their entirety. Please become familiar with them as you use Entergy's shoreline and lakebed lands to access Lakes Hamilton and Catherine. If you have questions concerning the guidelines, Entergy's lakes or need to request an shoreline facility application, you can visit our web site for general information or contact Hydro Operations at 501-844-2148 to receive an application..

Lakes to Refill - March 4

See related story on page 6

Shoreline Management

Entergy's license from the Federal Energy Regulatory Commission (FERC), issued December, 2002, requires Entergy to maintain and, in some cases, increase the amount of oversight it exercises over how the shorelines of the lakes are managed.

Specifically, Entergy was required to develop a detailed Shoreline Management Plan (SMP). An SMP is a comprehensive plan to manage the multiple resources and uses of a project's shorelines in a manner that protects and enhances the scenic, recreational, and other environmental values of the project, as required by the license.

To determine the appropriate levels of oversight and limitations for different shoreline areas of the lakes, the FERC-approved SMP for Lakes Hamilton & Catherine identifies three Shoreline Management Classification designations:

1. General Use,
2. Limited Use and
3. Resource Management.

The above designations recognize varying current uses and environmental sensitivities. Each Shoreline Management Classification specifies what types of facilities or activities may or may not be allowed along a particular shoreline segment.

If you are interested in additional information on Lakes Hamilton & Catherine Shoreline Management Plan, visit our web site at www.entergy.com/hydro.



General Guidelines & Specifications for Docks, Piers, Decks & Boardwalks

The following guidelines are for proposed non-commercial shoreline facilities along shoreline categorized as “Residential” or “Multipurpose” areas as mapped in Entergy’s Shoreline Management Plan (SMP): (Subject to revisions without notice.)

SECTION I: FACILITIES INTENDED USE & SLIP DENSITY

A. General Use Guidelines

- 1) “Facilities” are not to be used for the docking, mooring or launching of houseboats or seaplanes (or other aircraft). Boats are not to extend more than three (3) feet outside its permitted slip. Ski courses are not allowed on any portion of Lakes Hamilton & Catherine unless it is part of an authorized Special Event.
- 2) The placement of commercial advertising signs is not allowed on non-commercial “Facilities”.
- 3) Boats are not to be permanently moored to the outside of a “Facility”. The perimeters of a dock, boardwalk, or pier may be used for temporary mooring of boats for up to 14 consecutive days in any 30 day period, and no more than 60 days total per year. This does not apply to piers or boardwalks specifically permitted for the permanent mooring of boats.
- 4) The maximum number of personal watercraft ramps/lifts/slips is two (2) per lakefront dwelling or unit.

B. Single-Family Dwellings located on “Residential” and “Multipurpose” Shorelines as designated in Entergy’s SMP.

- 1) A single family dwelling is defined as a single building for occupancy by a single family unit.
- 2) Boat docks, piers, decks or other facilities (“Facility/Facilities”) are intended to accommodate lakefront dwellings only. A lakefront dwelling is defined as an applicant’s primary or vacation residence that is located on lakefront property that is: owned/leased by the applicant, adjoins Entergy’s shoreline property, is not segregated, divided or impaired by any roadway and has a direct line-of-sight view of the shoreline. All adjoining lots under common deed, for use as a single residence, are considered to be one tract.
- 3) To be eligible for a single (1) slip dock, an applicant must have a minimum of 75 feet of lake frontage. To be eligible for a double (2) slip dock, an applicant must have a minimum of 100 feet of lake frontage.

“Grandfather Clause”: The above restrictions apply only for developments, subdivisions or lots platted or re-platted and recorded after January 1, 2006. For developments, subdivisions or lots platted and recorded in the appropriate county court records prior to this date an applicant must only have property adjacent to a minimum of 45 feet of lake frontage for a single slip dock and 90 feet of lake frontage for a double slip dock.

- 4) The maximum number of slips to accommodate a single-family residence is two (2) regardless of Lake Frontage length.

C. Single-Family Dwelling “Off-Lake Lot Option” For new developments of undeveloped lakefront areas located along shoreline categorized as “Multipurpose” as designated in Entergy’s SMP, docking for off-lake lots will be considered under the following terms & conditions:

- 1) The development’s lakefront property is platted with lots that adjoin at least 100 feet of Entergy’s shoreline property.
- 2) Only community multi-slip boat docks are allowed and must be located along shoreline adjacent to common use lot(s) that are at least the same depth of the average lakefront lots or deeper. Common use lots must have enough shoreline to accommodate a community dock consistent with Section V “Facility Location/Position” of these guidelines Common use lots must only be for the purpose of providing access to the community dock.
- 3) Individual boat docks are not allowed in front of lakefront lots. Swim docks/decks or boardwalks will be considered
- 4) Total slip density does not exceed one (1) slip per 75 feet of development shoreline.
- 5) Community docks over six slips must be uncovered.
- 6) Lakefront lots are reserved only one slip in the community dock. The remaining will be for off-lake lot use.
- 7) Permits will only be issued to the original developer or a legally formed property owner’s association (POA) with jurisdiction over the common use lot (s). The developer will assure that a POA is created and all permits are transferred.
- 8) Community docks over 10 slips require, in addition to Entergy agreement, prior agency consultation and FERC approval.

D. Multi-Family Dwellings located on “Residential” and “Multipurpose” Shorelines as designated in Entergy’s SMP:

(Permits to accommodate “Multi-Family Dwellings will require prior FERC approval.)

- 1) A multi-family dwelling is defined as a single building for occupancy of more than one family unit or two or more buildings/dwellings that share a common wall between them such as a duplex, condominium or apartment building.
- 2) Slip density along shoreline intended to accommodate multi-family dwellings is not to exceed one (1) slip per 75 feet.
- 3) The maximum number of major slips is also not to exceed one (1) slip per multi-family dwelling unit.
- 4) Slips must be consolidated into multi-slip docks to the sole satisfaction of Entergy
- 5) All docks are to be uncovered for developments requiring more than six slips. Free-standing lifts with low profile canopy covers may be considered.
- 6) Each fifty (50) feet of any proposed boardwalk will be considered the permanent mooring location of one (1) slip.

SECTION II: ALLOWABLE “FACILITIES”

A) Entergy’s Shoreline Management Plan classifies all shoreline as General Use, Limited Use or Resource Protection.

- i) “General Use”: both floating and stationary “Facilities” may be allowed.
- ii) “Limited Use”: due to sensitive fish spawning/nursery areas or wetlands, only stationary “Facilities” are allowed.

B) Only stationary/piled docks are allowed in water depths of 7 feet or less.

C) A lakefront property owner’s dwelling’s porch, deck or patio is not to extend over or on Entergy’s shoreline lands.

D) Concrete slabs, footers, or poured/masonry patios are not allowed.

E) Facilities enclosed with rigid sides are not allowed (e.g. boathouses).

F) Only wood/metal support structures will be allowed on stationary docks. Concrete support structures are not allowed.

G) Boat lifts or PWC ramps/docks to be located along the outside of a “Facility” require prior Entergy written approval.

General Guidelines & Specifications for Docks, Piers, Decks & Boardwalks - Cont.

Section III: "Facility" Size & Configuration

- A) The overall length and width of a single family boat dock shall not exceed 38 feet. Larger dock sizes may be considered if the applicant agrees to maintain more than 90% of the applicant's lake frontage undeveloped and bioengineering shoreline stabilization and storm water runoff vegetation buffering best management practices are employed along the shoreline.
- B) No more than 50% of the shoreline adjacent to an applicant's lakefront property can be used for the placement of any kind of "Facilities" (includes PWC ramps/lifts, patios, piers, decks, boat docks, etc.), excluding boardwalks.
- C) Storage lockers should be located on the shore side & are not to accommodate more than 25 square feet of the "Facility's" deck.
- D) The width of a boat dock's head walkway shall be 4 feet to 6 feet. The width of a boat dock's slip finger shall be 3 feet to 6 feet. When a deck area is incorporated into a boat dock, the max. width of the deck shall be 10 feet (includes the slip finger's width).
- E) The walkway from the shoreline to a dock shall be at least 3 feet in width.
- F) The maximum size of a pier is 6 feet wide by 38 feet long.
- G) A boardwalk shall not extend more than 6 feet out from the shoreline over water.
- H) The overall length or width of a deck or swim dock is not to exceed 20 feet
- I) A deck's height is not to exceed 5 feet above the normal summertime water level.

Section IV: "Facility" Location/Position

- A) Where Entergy deems practical, "Facilities" (including vessels moored to them, PWC docks, lift, etc.) should be located between the property owner's side lot lines so as to provide at least a 15 foot off-set from the property owner's side lot line projected into the water. The use of "projected property lines" for the placement of "Facilities" is a management tool used at the sole discretion of Entergy. In some instances, due to unique lot and/or shoreline configuration, Entergy may choose to alter the angle of the projected lot lines to create more fair usage along a particular shoreline.
- B) "Facilities" may be allowed closer than 15 feet a property's projected lot line under the following conditions if in the sole opinion of Entergy, the construction/placement will not unduly affect the use of adjacent property owner's use of their lakefront or create a nuisance and/or hazard to safe navigation.
- C) "Facilities" are to be placed as close to the shoreline as possible. Extensions into the lake of a dock are limited to:
 - i) 55 feet in a direction perpendicular to the shoreline, ii) a distance that would not create a hazard to safe navigation, and one-fourth the distance across a cove, iii) a distance that allows the property owner sufficient water depth for boats.*(Entergy may consider variances to this guideline for reasons such as water depth or irregular shoreline contours when conditions warrant in the sole opinion of Entergy.)*
- D) "Facilities" must not interfere with navigation, ingress, or egress to adjoining properties or existing shoreline facilities.
- E) "Facilities", when feasible in the sole opinion of Entergy, shall be at least 30 feet from any other existing dock.
- F) If the proposed "Facility's" slip is parallel to the shoreline, the slip-opening end shall be at least 1.5 times the length of the longest slip from the owner's projected property line.

Section V: "FACILITY" COLOR

- A) A "facility's" roof and frame should be a neutral color that blends into the natural shoreline or matches the color scheme of the residence that it serves. Pastel colors such as yellow, pink, or purple are not allowed.
- B) Along shorelines classified as Limited Use due to "steep slopes" as designated in Entergy's Shoreline Management Plan, a "Facility's" roof is to be dark green, gray or brown and visible structural members are to be black or dark gray.

Section VI: FLOATATION & ANCHORAGE

- A) Closed cell (extruded) polystyrene or approved encapsulated foam bead (expanded) poly-styrene is required.
- B) Hollow containers, metal covered or injected drum floatation will not be allowed.
- C) All "Facilities" must be securely anchored to the shoreline and connected with a walkway.
- D) Docks using pipe stem anchoring systems should be designed to prevent the pipe from sliding out through the pipe stem's sleeve.
- E) Stiff-arms connected to a concrete deadman on the shore may be required in locations with swift water and/or fluctuating levels.

Section VII: Roofs/Handrails/Guardrails

- A) Roofs are only allowed over the slip area of a docking facility and those fingers directly associated with the slip.
- B) Decks/roof combinations or second floors are not allowed. Roofs may be gabled or single-pitched.
- C) Metal roofing must be baked enamel coated. Wood or shingled roofs are not allowed on floating "Facilities".
- D) The maximum height of a "Facility's" roof (peak) is not to exceed 15 feet above the normal water level.
- E) Handrails, 32 inches high with a 16 inch min-rail, are required on both sides of the walkways leading to the "Facility".
- F) Guardrail, 41 inches high with a 20-24 inch midrail, should be provided on perimeter areas not used for mooring of boats.

Section VIII: Electrical, Lighting

- A) All electrical work shall be in accordance with current version of the National Electrical Code (N.E.C.) Standards for Wet Location, Marinas and Boatyards, the National Electrical Safety Code and all other federal, state and local codes.
- B) It is exclusively and specifically the responsibility of the applicant/permittee to insure that all electrical work so complies.
- C) Only low wattage yellow colored lighting that does not create a hazard to boaters should be used on "Facilities". Two-inch diameter blue colored reflectors placed at 10-foot intervals along the docks sides are recommended.

Section IX: Fire Protection & Safety Equipment

- A) All "Facilities" should be equipped with a throwable personal flotation device.
- B) A properly sized fully charged A-B-C dry chemical fire extinguisher or one with a U/L classification of 20B is recommended.³

General Guidelines & Specifications for Bank Stabilization/Dredging/Boat Ramps

The following guidelines are for proposed non-commercial shoreline facilities along shoreline categorized as “Residential” or “Multipurpose” areas as mapped in Entergy’s Shoreline Management Plan (SMP): *(Subject to revisions without notice.)*

Section I: Bank Stabilization

Bank stabilization may require additional permits from the U.S. Army Corp of Engineers.

- A) The preferred methods of bank stabilization are through the use of bioengineering (vegetation planting) or riprap (the placement of large rock along the shoreline).
- B) Seawalls are only allowable along “General Use Shorelines” as designated in Entergy’s SMP, but riprap is required in front of the entire length of all new seawalls, up to just below the surface of the water for habitat restoration and wave reduction.
- C) Only riprap and/or bioengineering will be allowed along shorelines that have been classified in Entergy’s Shoreline Management Plan as “Limited Use” due to wetlands or sensitive fish spawning/nursery areas.
- D) Bank stabilization will not be allowed along shorelines that have been classified in Entergy’s Shoreline Management Plan as “Limited Use” due to natural rock shorelines.
- E) A seawall’s height should not exceed what is needed to stabilize the shoreline from erosion. The top of wall shall not be higher than 403’ elevation on Lake Hamilton & 307’ elevation on Lake Catherine. This is typically 3 feet above normal summertime lake level.
- F) Walls and riprap must follow the normal shoreline (399-ft. elevation, Lake Hamilton & 304 ft. elevation, Lake Catherine). **Photographs showing grade stakes with flagging tape along the outer extremity of the proposed wall or riprap must be submitted with the application.** Staking must remain until permit is issued.
- G) Concrete block walls should be filled with concrete.
- H) Crossties and other wood timbers treated with “Penta” or “Creosote” will not be allowed.
- I) All structures must be constructed between the property owner’s side lot lines extended into the water.
- J) All shoreline structures are to be constructed so as to not adversely affect the shoreline contours or slopes of lands owned by Entergy.
- K) Construction of the wall or placement of riprap must be completed prior to any backfilling. All backfill material must be obtained from an upland source.
- L) Structures made of tires, rubble, petroleum-based products, scrap machinery, tree trunks or limbs are not allowed.
- M) Wood, metal or vinyl type structures must be structurally tight and driven into the lakebed a depth sufficient to prevent seepage of backfill material. All nuts, bolts, nails, cables, straps, etc. used to secure and support the structure must be galvanized or similarly plated to prevent premature corrosion.
- N) No excavation or dredging for bank stabilization is permitted except for that specifically required for installation of the structure.

Section II: Dredging/Excavation

(Fill activities may require additional permits from the U.S. Army Corps of Engineer.

- A) Due to the potentially negative impact to the environment, Entergy discourages the dredging of large areas of the lakebed. In order to preserve the natural and riparian habitats found along the reservoir shorelines, dredging of the lakebed is restricted to a maximum of 25 cubic yards.
- B) Entergy may allow dredging over 25 cubic yards in order to enhance public access or public recreation opportunities.
- C) Dredging will not be allowed along shorelines that have been classified in Entergy’s Shoreline Management Plan as “Limited Use” due to wetlands or sensitive fish spawning/nursery areas.
- D) Dredging boat channels landward of the “normal” water level is no longer allowed. The use of bulldozers in the bed of the lake is prohibited.
- E) Boat slips dredged landward of the “normal” water level are to be according to U. S. Army Corps of Engineer guidelines. No keyhole shaped slips will be allowed. Indented slips are required to prevent stagnation of water in the slip. All dredged slips are required to be properly stabilized by either a vertical wall or the use of riprap.
- F) Dredging must be accomplished in such a manner that if the lake were drained, water would not be trapped within the dredged area.
- G) All dredged excavation lines must not have a slope steeper than 1 to 1.
- H) All dredged spoils, whether held temporarily or permanently must be contained by approved erosion and sedimentation control methods. Spoil is not to be located on Entergy property.

Section III: Private Boat Ramps

(Boat ramps may require additional permits from the U.S. Army Corps of Engineers.

- A) Boat ramps are not allowed along shorelines that have been classified in Entergy’s Shoreline Management Plan as “Limited Use” shoreline due to wetlands or sensitive fish spawning and nursery areas.
- B) Maximum width for boat ramps is ten (10) feet.
- C) Boat ramps must be 15’ from the applicant’s adjacent property line.
- D) Dredging for boat ramps is limited to only what is needed for the installation of the facility. The lake where a boat ramp is being proposed must already have sufficient depth for the boat ramp to be usable.
- E) Dredging channels out from the boat ramp is not allowed.

IMPORTANT, PLEASE READ CAREFULLY

Applications for bank stabilization, dredging, excavation and boat ramps may require a 60-day processing period and should be submitted to Entergy as early as possible in the drawdown period if the proposed construction activities are to be performed during the winter drawdown.

General Information

Permit Processing Fee Schedule: The Federal Energy Regulatory Commission license for Project 271-Lakes Hamilton & Catherine allows Entergy to charge reasonable fees to cover the cost of administering its shoreline permitting program. Entergy, at this time, only charges a one-time, non-refundable application processing fee which only helps defray the costs. Fees are frequently reviewed and are subject to changing to more reflect the actual cost of implementing Entergy's permit program.

- **Non-commercial Private Facility permits intended for single-family dwellings:** **\$250.00**
(includes, but not limited to permits for new and the modifying or transferring of permits for existing docks, piers, boardwalks, landings, bank stabilization, rip rap, circulating loops, boat ramps & dredging)
*Transfer fees will be discounted to \$100 if transfer application is submitted within 60 days from purchase of property.
- **Community Facility up to 10 slips intended for single-family dwellings:** **\$500.00**
- **Community Facility over 10 slips intended for single-family dwellings** **\$1,000.00**
- **Docking Facilities intended for multi-family dwellings:** **\$1,000.00**
- **Commercial Docks** **\$1,000.00**
- **After the Fact Permitting:** **2X REGULAR FEE**
(Facilities that are built without prior authorization but meet current guidelines may be permitted but fees will be twice the current processing fee.)

Applications that require extensive review or require additional inspections will be assessed additional fees based on the time required to process the application. **To help avoid additional fees, be sure that a complete application is submitted with all requested materials.**

Performance Bond for Multi-Family, Community and Commercial Facilities. Permittee upon approval of a permit shall procure a performance bond for Ten Thousand Dollars (\$10,000) in form satisfactory to and payable to the Entergy Arkansas, Inc. (Company) prior to the issuance of the permit and maintain in full force and effect during the placement/construction of the facility to ensure the faithful performance by Permittee of all of the terms, covenants, and conditions of the permit agreement, and to ensure removal of the boat dock and all related facilities on Company's property and the restoration of the Company's property if the permitted facility is not constructed or placed in accordance with the permit. Once placement/construction is completed to the sole satisfaction of Entergy, the bond can be terminated after written approval from Company. If Permittee fails to faithfully perform any of the terms, covenants, and conditions of this Agreement, the Company may, in its discretion, use or apply any part of the surety to cure Permittee's failure to perform or to compensate the Company for any loss, damage, or expense incurred (including attorneys' fees) by the Company as a direct or indirect result of Permittee's failure to perform. A company authorized to write such bonds in Arkansas shall write such surety. Permittee shall furnish the Company with a certificate of such surety in a form satisfactory to the Company before a permit is issued. Such surety shall provide that advance written notice be given to the Company before the bond is canceled, materially changed, or not renewed. The Company reserves the right to reject surety or bonding tendered by Permittee.

Grandfathering: Existing "Facilities" or those permitted prior to the adoption of Entergy's current permitting general guidelines and specifications and SMP may remain for their useful lives, as long as they are in compliance with the size, location and type requirement set forth in Entergy's requirements in effect at the time the "Facility" was constructed.

When major repairs are proposed, involving more than 50 percent of the structure, as determined solely by Entergy, the structure must be repaired so as to be in compliance with Entergy's current general guidelines and specifications and SMP. This will include a review of repairs by Entergy to assure that the structure is appropriate for the SMP's Shoreline Use Category and Management Classification it is located within. If a previously permitted structure is removed, destroyed, or damaged by fire, natural disasters or other means, the replacement structure must be in compliance with Entergy's current guidelines and specification and SMP.

Enforcement / Non-compliance: In the event a permittee fails to comply with any of the conditions and requirements of a permit, Entergy may revoke the permit as well as all rights and privileges, both current and future, associated with the permit for the facility/facilities in non-compliance and all other permitted facilities and all future proposed facilities up to 5 years. In the event Entergy revokes any permit and the permittee fails to remove said facility/facilities, Entergy may and hereby has permittee's permission and authorization, to remove said facility/facilities at permittee's expense. In the event litigation is required by Entergy to enforce any of its rights related to this process, permittee shall be responsible to Entergy for Entergy's legal fees and all expenses incurred by Entergy in connection with its enforcement of said rights.

In the event a facility is constructed or placed on Entergy's shoreline property without a proper permit, Entergy will take appropriate action to assure that the facility is removed from Lakes Hamilton or Catherine. Any cost incurred by Entergy, including, but not limited to legal costs, removing cost, towing cost, storage cost, or any disposition cost, will be costs for which you are responsible, and for which legal action may be taken to recover same. In the event a facility is constructed or placed on Entergy's shoreline property without a proper permit, any application submitted after the fact will be subject to a penalty fee assessment in addition to the normal processing fee.

(See above "After the Fact Permitting" fee schedule)

Refill Dates Set

Lakes Hamilton and Catherine will begin to refill on March 4. In November, both lakes were drawn down five feet. The lakes will rise about eight inches per day, bringing the lakes back to their normal summertime levels so as to not interfere with this spring's fish spawn by March 10.

In addition to facilitating shoreline maintenance and inspection, annual drawdowns are part of a plan to help control nuisance aquatic vegetation. Last summer's annual aquatic vegetation inspection indicated that Entergy's Vegetation Management Plan has been effective in combating the excessive growth of nuisance vegetation in Lake Hamilton that has caused many lake users problems in the past.

For more information concerning the annual drawdown, information on vegetation management strategies, or to obtain a booklet on the permitting of docks and seawalls, see our web page at www.entergy.com/hydro or call Entergy's Hydro Operations office at 501-844-2148.

Refill Schedule

Lakes Catherine & Hamilton

Start Date: March 4, 2006

End Date: March 10, 2006

Do you know of lakefront property owners who are not receiving this publication?

Send their names and addresses to:
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Help Us With Our Mailing List
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844-2148 with any corrections

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