

# **Appendix O**

## **Procedure for Addressing Challenges to Shoreline Management Plan Mapping Accuracy**

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### **FERC Order Modifying and Approving Revised Shoreline Management Classification Maps Project No. 2232-393 (Issued December 01, 2000)**

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#### **Duke Power Lake Management Procedure for Addressing Challenges to Shoreline Management Plan Mapping Accuracy to Comply with Paragraph (C) of the Order Modifying and Approving Revised Shoreline Classification Maps (No. 2232-393)**

##### Steps Followed:

1. A private property owner/developer contacts Duke Power Lake Management (LM) with a question on Lake Use Permitting (LUP).
2. LM will review the appropriate (i.e. latest version filed with the Federal Energy Regulatory Commission) Shoreline Management Plan Maps and if necessary make a site field inspection to address any LUP issues.
3. If the private property owner/developer disagrees with the shoreline classification indicated on the map for a particular site, LM makes a second site visit, if necessary, to determine if there is a mapping discrepancy.
  - If LM believes that there is no mapping discrepancy then the classification stands.
4. If LM believes that there is a potential mapping discrepancy, then LM will coordinate with the appropriate state agency(s) contact to visit the site.
  - If the state agency(s) does not agree that a mapping discrepancy exists then the mapping classification stands.
5. If the state agency(s) confirms that there is a mapping discrepancy, then LM will annually provide the property owner/developer the opportunity to file for a shoreline classification change with the Commission. *Note: Any reclassification of the shoreline must be filed with the Commission and the application must include documentation of agency consultation, justification for the reclassification and a copy of the map from the existing plan showing the location of the proposed reclassification.*

Status of the re-evaluation of the Karp, Dellinger and Lail challenges to the Shoreline Management Plan mapping. Prior to June 1, 2001 (and before the beginning of the boating season) Lake Management re-evaluated the shoreline in front of the three properties noted above. The shoreline in front of the Dellinger and Lail properties was properly classified in the Shoreline Management Plan as Environmental. The Lake Use Restrictions for the Environmental Classification require no construction, excavation or shoreline stabilization inside the project boundary. The shoreline in front of the Karp property was properly identified as being in an existing and a future use classification. The two classifications of the shoreline in front of the Karp property were Existing Residential and Future Commercial/Residential. The Lake Use Restrictions for the Existing Residential and Future Commercial/Residential classifications are no Commercial/Non-residential or new Commercial/Residential facilities, and no Commercial/Non-residential facilities, respectively.