

Know your boundaries property boundaries that is

BY DAVE KROEGER

In dealing with permit applications and communicating with representatives from Duke Energy Lake Services (DELS), we have seen a tremendous amount of vegetation violations within the project boundary around Lake Keowee. DELS is the department that manages and enforces the Keowee-Toxaway Shoreline Management Plan.

The most common vegetation violation is the unauthorized cutting of vegetation, tree removal and under brushing within the project boundary.

There are some stiff consequences for these violations including but not limited to:

- stop-work directives;
- loss of security deposits;
- loss of consideration for lake use permitting activities for up to five years;
- suspension or cancellation of approved applications;
- increased fees; or
- restoration of native plants.

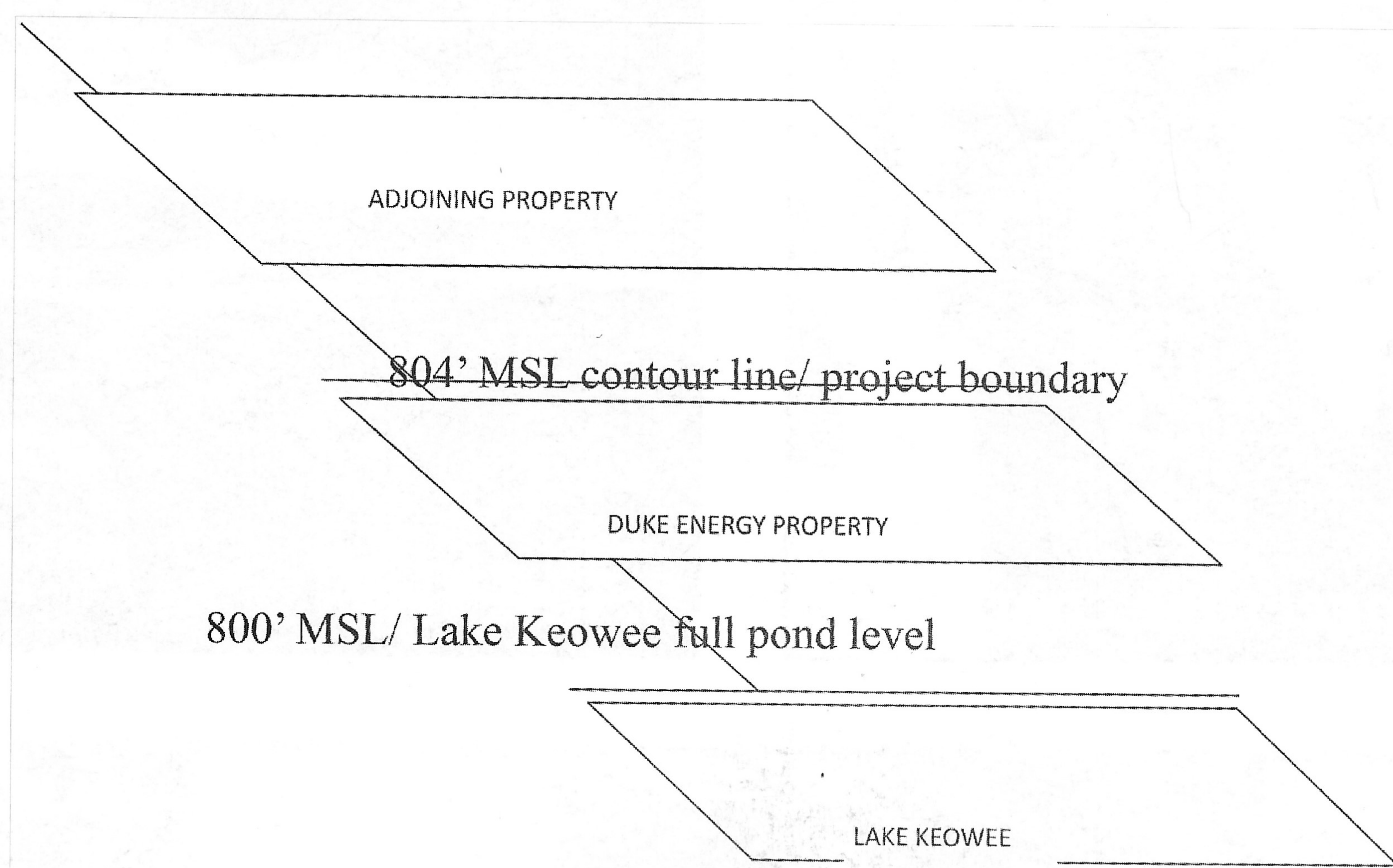
YOUR PROPERTY OR DUKE ENERGY'S PROPERTY?

With all of the building activity on the lake, including new homes, boat docks or changes to existing structures, it is important to be aware of the guidelines dealing with where your property ownership starts and stops. This pertains to the lake side of your property in relationship to the Duke Energy project boundary.

WHAT IS THE PROJECT BOUNDARY?

This is the area owned by Duke Energy between the point from where your property's lot corner pins are and the 800-foot MSL elevation (Lake Keowee Full Pond Elevation). The project boundary around Lake Keowee varies on a tract-by-tract basis, and is anywhere between the 800-foot MSL contour and the 810-foot MSL contour. The elevation of this line and corner pins will typically be noted and referred to on your property survey as the "contour line." For example, if the project boundary on your prop-

erty is the 800-foot elevation, then you own the property down to the full pond elevation. If the project boundary on your property is the 804-foot elevation, then Duke Energy owns all of the property below the 804-foot marker.



The amount of lateral distance from the 800-foot elevation to the contour line will be dependent on the topography of your property. This is due to the fact that the project boundary is typically based on an elevation contour and not a metes and bounds survey. For example, with a gentle sloping property there would be more lateral distance than if it were steeper sloping.

It is important to understand that even though there are certain implicit uses of the land within the project boundary, permission or permits must be obtained for any use or activity on this property.

Below is a link to the Shoreline Management Guidelines of Sept. 1, 2014, that will describe this in detail.

But, back to those vegetation violations. It is important to understand that there are several opportunities for property inspections by DELS that would allow them to scrutinize the activities that might have taken place within the project boundary. Examples include: routine site inspections, boat dock or stabilization permit applications, completed project inspections, applications to reach deeper water and surveillance

of the lake for compliance issues.

WHAT TO DO

There is one simple first step to take before anything is done within the project boundary:

Contact Duke Energy Lake Services at 864.624.6144.

A representative will either provide you with a consult by phone or arrange an onsite visit to determine what can be done within the project boundary. If you are building a new home, it is a good idea to make this contact before your home foundation is started in regards to view shed and access.

Lastly, it appears most violations occur due to property owners not knowing about what the contour line represents or the use within the project boundary. In some cases, property owners may ascribe to the notion of asking for

forgiveness rather than permission, this never turns out good.

From my experience, I am confident that it is not the desire of DELS to impose penalties for violations. They are very willing to answer any questions you might have regarding the uses of this Duke Energy property that will insure you are within the existing guidelines.

LAKE RESOURCES CONTACT INFORMATION

- Lake Keowee — Duke Energy Lake Services, 1.800.443.5193, 864.624.6144
- Keowee-Toxaway Shoreline management guidelines https://www.duke-energy.com/_/media/pdfs/community/ktshorelinemanagementguidelines.pdf
- Lake Hartwell — 706.856.0300 or <http://www.sas.usace.army.mil> ■



Dave is President/CEO of Kroeger Marine Construction, which has excelled for decades, offering unmatched experience and quality in boat dock building, erosion control and boat lift installation.