



**APPLICATION FOR
VEGETATION REMOVAL PERMIT**

Dear Smith Mountain and Leesville Lake Property Owners:

On behalf of Appalachian Power Company (Appalachian), please find attached an application for a vegetation removal permit. Instructions for completing this application include the following:

1. Read the entire permit application carefully.
2. To help ensure a prompt response, please include all requested information. Incomplete applications will be returned for additional information.
3. The Smith Mountain Pumped Storage Project Shoreline Management Plan (SMP) as approved by the Federal Energy Regulatory Commission Order Modifying and Approving Updated SMP issued on January 30, 2014 can be found at www.smithmountainproject.com. The proposed vegetation removal must meet the requirements of the updated SMP and the Order before it can be approved.
4. A site visit will be conducted upon receipt of the application. Please call the number listed below if you or your contractor would like an appointment to discuss vegetation within the project boundary.
5. The property owner, not an agent or contractor, is required to sign the permit application. Applications with incorrect signatures will be returned.
6. Property information, including the parcel identification number, legal description, and deed reference information, can be obtained by contacting the appropriate county. On-line information is available at www.bedfordcountyva.gov (Quick Reference, Geographic Information Systems), www.franklincountyva.gov (Quick Links, GIS Search), www.pittsylvaniacountyva.gov (Services, Real Estate/GIS), or www.campbellcountyva.gov (Online GIS).
7. Mail the completed application to the following address for processing:

Appalachian Power Company
Shoreline Management
P.O. Box 2021
Roanoke, VA 24022-2121

8. If the proposal meets the SMP, a permit will be issued.

Should you have any additional questions, you may contact Appalachian's Shoreline Management staff at (540) 985-2579.

Sincerely,

Neil Holthouser
Plant Environmental Coordinator Sr.

Permit for Vegetation Removal
Appalachian Power Company
Smith Mountain Lake and Leesville Lake

Appalachian Power Company (APCO) has the authority and responsibility under its Federal Energy Regulatory Commission (FERC) license and its land rights to review and approve activities within the Smith Mountain Project boundary which includes both Smith Mountain and Leesville lakes (all land within the 800 foot contour for Smith Mountain and 620 foot contour for Leesville).

Property Owner's (Permittee's) Name(s): _____

Owner's Mailing Address: _____
 (street) (city) (state) (zip)

Owner's Contact Information: _____
 (daytime telephone) (evening telephone) (Email)

Location: Smith Mountain Lake _____
 Leesville Lake (county) (subdivision) (lot number) (section) (Tax Map/Parcel ID No.)

Lake Address: _____
 (street) (city) (state) (zip)

Directions By Land: _____

Contractor / Consultant / Plan Preparer: _____ Phone: _____ Email: _____

Read the following carefully and fill in appropriate information.

Vegetation within the project boundary must be preserved if present. Ground disturbing activities in this area must be minimal in order to maintain the function of the buffer. All parties desiring to remove vegetation within the project boundary must obtain written authorization from APCO prior to beginning any removal and must agree replace the function of buffer.

- 1) **Check appropriate box describing the purpose for requesting removal of vegetation:**
- Provide for reasonable view of the water. (Note: clear-cutting of any area and/or removal of an entire trophic layer is prohibited.)
 - Construct access path to the shoreline and/or dock. (Note: path is limited to 6-feet in width; may also require application for Occupancy & Use Permit.)
 - Construct erosion control measures along the shoreline. (Note: also requires an application for Shoreline Stabilization Permit.)
 - General maintenance to the vegetated area. (Note: applies to dead, dying, diseased, or invasive vegetation; opinion of qualified expert may be required.)
 - Mitigation. (Note: enhancement of the vegetative buffer is proposed in order to offset other specified impact(s) within the Project boundary.)
 - Other: _____
- 2) **Attach a map showing the general location of the proposed work (Example: Lake Map).**
- 3) **Attach a drawing showing the location of the project boundary and base elevation, property lines, and the vegetation to be removed, or attach photographs of the area showing the project boundary and base elevation, property lines and the vegetation to be removed. Date photographs were taken: _____**
- 4) **Attach a landscape plan (to include the project boundary, base elevation and property lines) indicating how the property is to be landscaped and a description on how the function of the buffer is going to be retained once the proposed vegetation is removed. (If trees or shrubs are removed, then they shall be replaced with other vegetation as detailed in Table 2.5-2 of the Shoreline Management Plan as approved by FERC Order Modifying and Approving Updated Shoreline Management Plan issued January 30, 2014. The trees or shrubs that are removed must be replaced with native plants. A list of native plants can be found in Appendix F of the Shoreline Management Plan.)**
- 5) **See the "Terms and Conditions of Permit" listed on Page 2.**

By signing this permit, the Permittee is accepting the Terms and Conditions herein and acknowledging the following:

APCO, pursuant to its License, has the continuing responsibility to supervise and control the uses and occupancies for which it has granted permission and to monitor the use of and ensure compliance with the conditions under which this permit has been granted. As a result, the use and occupancy hereby permitted is deemed to be made under a **revocable license** from APCO. As such, if the use and occupancy violates any condition of the License or any other condition imposed for the protection and enhancement of the Project's scenic, recreational or other environmental values, or upon the petition of any other permitting agency, APCO shall take such lawful action necessary to address the situation. Such action may include, if necessary, the cancellation of this permit and the removal of the non-complying structures and facilities. Furthermore, any structures or other use associated with this use and occupancy permit must be maintained in good repair and comply with applicable federal, state and local requirements.

I certify that the above information is true and correct, and that I have read and agree to the Terms and Conditions of the permit listed on the back of this form.

| | | |
|---------------|---------------------------------|---------------------------------|
| | _____ Signature of Permittee | _____ Signature of Permittee |
| _____ Date | _____ Print Name | _____ Print Name |

To Be Completed by Authorized APCO Representative – Permit is Invalid without a Signature.

This permit is granted solely for the purpose described by the permittee in this permit:

| | | | |
|----------------------|-----------------------------|--|--|
| _____ Date Issued | _____ Date of Site Visit | _____ Shoreline Management Plan Shoreline Classification | _____ Elizabeth B. Parcell Authorized Signer |
|----------------------|-----------------------------|--|--|

Permit for Vegetation Removal
Appalachian Power Company
Smith Mountain Lake and Leesville Lake

TERMS AND CONDITIONS OF PERMIT

This permit is granted by APCO and accepted by the Permittee, subject to the following terms and conditions:

1. This permit is granted solely for the purpose of removing vegetation from within the project boundary. No addition or design change shall be made to this permit without prior approval from APCO.
2. Routine maintenance to the existing vegetation within the project boundary is allowed without a permit in order to keep the vegetation healthy and ensure the buffer functions properly. Call APCO if you are uncertain whether your project falls into this category.
3. Dead, diseased or dying trees or shrubbery and non-native invasive weeds may be removed. In addition, trees that are a hazard to life or property may be removed. If the trees or shrubs are removed, they shall be replaced with other vegetation as detailed in Table 2.5-2 of the Shoreline Management Plan as approved by FERC Order Modifying and Approving Updated Shoreline Management Plan issued January 30, 2014. The trees or shrubs that are removed should be replaced with native plants. A list of native plants can be found in Appendix F of the Shoreline Management Plan. Individuals may be required to plant or pay for the planting of vegetative materials within the project boundary in the event that vegetation is removed without a permit.
4. The activity described in this permit is part of a single and complete project.
5. Under this permit, modifications shall not alter the project boundary (800 foot contour at Smith Mountain and 620 foot contour at Leesville). If alteration of the project boundary is proposed, additional information will need to be submitted to APCO for review.
6. This permit does not include the removal of wetland vegetation.
7. By thirty (30) days' notice, mailed to the Permittee by registered or certified letter, APCO may revoke this permit whenever it determines that the public interest necessitates such revocation or when it determines that the Permittee has failed to comply with the conditions of this permit. The revocation notice shall specify the reason for such action.
8. The Permittee is responsible for proper design, engineering, construction, maintenance and placement of any proposed revegetation measures. APCO's review and approval of the plans are no guarantee or assurance the Permittee's plans are proper or adequate for the purpose intended.
9. The Permittee shall ensure that erosion and sedimentation (E & S) control devices are in place prior to clearing and grading and that they are maintained in good working order to minimize impacts to all waters and wetlands in accordance with the current edition of the Virginia Erosion and Sedimentation Handbook. Any deposition of graded materials in upland areas shall be carried out in such a manner as to prevent the erosion of these materials and preclude their entry into all waters and wetlands. These controls shall remain in place until the area stabilizes. Soil stabilization practices shall be applied to all denuded areas **within seven (7) days** after final grade is reached within any impact area.
10. Success of the revegetated buffer shall be based upon the following criteria:
 - i) 80% of the vegetation survives. Plantings that do not survive shall be replaced by the Permittee by the beginning of the next growing season
 - ii) No plantings shall occur in frozen soils.
11. If restoration of the vegetated buffer fails, then the reasons for this failure shall be determined and a corrective action plan submitted to APCO. The corrective action plan shall be implemented by the Permittee upon receipt of written approval from APCO.
12. It is understood and agreed by and between APCO and Permittee that part of the consideration for the granting of this permit for lakeshore use is the Permittee's agreement to keep project lands and waters occupied by and surrounding the permitted facility free of all waste, garbage, and other unsightly debris and materials and is to comply with local health rules and regulations.
13. It is understood that the water levels at Smith Mountain Lake can rise up to and occasionally exceed the 800 foot contour during periods of high inflow, and fall as low as 787 feet during periods of low inflow or drought. Historically, water levels as measured at the dam reached 799.79 feet in 1978 and 787 feet in 2010. Leesville Lake can fluctuate between 613 feet and 600 feet during normal operations as measured at the dam. However, the flowage easement is to elevation 620 feet, because the water levels have the potential for increasing upstream depending upon flows from Smith Mountain. These elevations should be taken into consideration when designing revegetation plans.
14. In the event that any previously known or unknown cultural resource materials are discovered, all work associated with this permit must be stopped. Appalachian must be notified and consultation with the State Historic Preservation Office (SHPO) must be completed before any further work within the work area will be allowed to continue. In addition:
 - A. The applicant shall notify Appalachian and SHPO immediately and follow-up with a written account of the discovery. The applicant may be required to employ an archaeologist who meets or exceeds the qualifications described in the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-9) to assess the eligibility of the resource for inclusion in the National Register.
 - B. If the resource is determined to be eligible for inclusion in the National Register, and the applicant wishes to continue with the activity, the applicant shall ensure that an archaeologist who meets or exceeds the qualifications described in the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-9) shall prepare a plan for its avoidance, protection, or recovery of information. The SHPO shall approve such plan, prior to implementation.
 - C. Work in the affected area shall not proceed until either:
 - a. Appropriate data recovery or other approved mitigation procedures are developed and implemented, or
 - b. The determination is made that the located resources are not eligible for inclusion on the National Register.
15. Permittee agrees to all conditions set forth in the Smith Mountain Pumped Storage Project Shoreline Management Plan as approved by FERC Order Modifying and Approving Updated Shoreline Management Plan issued January 30, 2014.

Mail this completed form to:

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