



VEGETATION REMOVAL PERMIT APPLICATION

Dear Claytor Lake Property Owners:

On behalf of Appalachian Power Company (Appalachian), please find the Vegetation Removal Permit application. 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 to the applicant for additional information.
3. By submitting this application, the deeded property owner(s) of the upland parcel of land which is adjacent to the 1850 foot elevation contour acknowledges and consents that Appalachian personnel may cross the upland property from time to time in order to reach the property located below the 1850 foot elevation contour for the purposes of inspection or monitoring of the land and structures located below the 1850 foot elevation contour.
4. The Shoreline Management Plan (SMP) for the Claytor Lake Project, Dated November 14, 2022, as approved by Order Approving Revised Shoreline Management Plan Pursuant to Article 414 issued June 28, 2023, can be found at www.claytorhydro.com . The proposed vegetation removal must meet the requirements of the SMP before it can be approved.
5. A site visit will be conducted upon receipt of a complete application. The vegetation that is proposed to be removed must be marked. Please call the number listed below if you or your contractor would like an appointment to discuss vegetation within the project boundary (in most cases below the 1850 elevation contour).
6. It is recommended that planting be delayed until the permit has been issued to avoid any potential compliance issues or the need for revisions. Plantings that occurred prior to the application being submitted will not count toward the vegetative buffer replacement requirement.
7. The current property owner, not an agent or contractor, must sign the permit application. Applications with the incorrect signatures will be returned.
8. Property information, including the parcel identification number (Tax Map Number), legal description, and deed reference information can be obtained by contacting Pulaski County. Online information is available at www.pulaskicounty.org .
9. Mail the completed application to the following address for processing:

Appalachian Power Company
Shoreline Management
996 Old Franklin Turnpike
Rocky Mount, Virginia 24151

10. If the proposal meets the requirements of the SMP a permit will be issued.

Should you have any additional questions, you may contact Brian Ellinwood at (540)-562-7325 or Lisa Hammock at (540)-489-2556.

Sincerely,

Appalachian Power Company

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Appalachian Power Company (Appalachian) has the authority and responsibility under its Federal Regulatory Commission (FERC) license and its land rights to approve activities within the Claytor Lake Project boundary which includes all land generally within the 1850-foot contour elevation (or other areas defined by survey beyond the referenced contour elevation).

All property Owner's (permittee's) Names: _____

Owner's Mailing Address: _____

Owner's Contact Information: _____

Property Information: (subdivision) _____ (lot number) _____ (section) _____

Lake Address: _____

Parcel Number (Tax Map Number): _____ Deed Book and Page No.: _____

Directions By Land: _____

Contractor/Planner/Consultant: _____ Phone NO.: _____ Email Address: _____

Read the following carefully and fill in the appropriate information.

Vegetation within the Project boundary (below the 1850 elevation contour) must be preserved if present. Ground disturbing activities in this area must be minimal in order to maintain the function of the vegetation buffer. All parties desiring to remove vegetation within the Project boundary must obtain written authorization from Appalachian prior to beginning any removal and the applicant must agree to replace the function of the buffer.

Check the appropriate box describing the purpose for requesting removal and or planting of vegetation:

- ☐ Provide for reasonable view. (Note: clear-cutting or removal of an entire trophic layer is prohibited)
- ☐ Construct access path to the shoreline or dock. (Note: path is limited to 6 feet in width; may require an Occupancy and Use permit.)
- ☐ Construct erosion control measures along the shoreline. (Note: This will require a Shoreline Stabilization Permit)
- ☐ General Maintenance to the vegetated area (Note: applies to dead, dying, diseased, or invasive vegetation; opinion of a qualified expert may be required.)
- ☐ Mitigation (Note: enhancement of the vegetative buffer is proposed in order to offset other specified impacts within the Project Boundary.)
- ☐ Other: _____

The following items must be included with your application:

1. **Attach a map showing the general location of the proposed work. (Example: Survey/Tax Map)**
2. **Attach a drawing showing the location of the Project boundary and the Base Elevation (1846 Elevation Contour), property lines and the vegetation to be removed.**
3. **Provide photographs of the Project boundary and Base Elevation, property lines and the vegetation to be removed. Time and date stamped photos are preferred.**

Please see the Next page for additional requirements.

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4. Provide a landscape plan that includes the following:

- **Project boundary (1850 Elevation Contour)**
- **Base Elevation (1846 Elevation Contour)**
- **Property lines**
- **Location of proposed vegetation to be removed**
- **Proposed vegetation to be planted to restore the vegetative buffer.** (To determine the required replacement plantings, please see Table 2.5.9-1 of the Shoreline Management Plan (SMP) for the Claytor Project dated November 14, 2022, as approved by Order Approving Revised Shoreline Management Plan Pursuant to Article 414 issued June 28, 2023.)

5. See the "Terms and Conditions of Permit" listed on Pages 3 and 4.

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

Appalachian, 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 Appalachian. As such, if the use and Occupancy violated any conditions of the License or any other condition imposed for the protection and enhancement of the Projects scenic, recreational or other environmental values, or upon the petition of any other permitting agency, Appalachian 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 structure 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 the Terms and Conditions of the permit listed on the following page.

Date _____		
	Signature of Applicant	Signature of Applicant
	_____	_____
	Print Name of Applicant	Print Name of Applicant

Below to be completed by Appalachian Power Company – 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 Classification	Authorized Signature of Appalachian Power Company

Mail this completed form to:

**Appalachian Power Company
Shoreline Management for Claytor Lake
996 Old Franklin Turnpike
Rocky Mount, Virginia 24151**

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TERMS AND CONDITIONS OF PERMIT

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

1. This permit is granted solely for the purpose of removing vegetation from within the Project Boundary or for planting vegetation for mitigation for work done within the Project Boundary without the benefit of a permit. No addition or design change shall be made to this permit without prior approval from Appalachian.
2. Planting will be installed within one (1) year of the permit issue date.
3. 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 Appalachian if you are uncertain your project falls into this category.
4. 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 with a permit from Appalachian. If the trees or shrubs are removed, they must be replaced with other native vegetation as detailed in Table 2.5.9-1 of the Shoreline Management Plan (SMP) for the Claytor Project, dated November 141, 2022, as approved by Order Approving Revised Shoreline Management Plan Pursuant to Article 414 issued June 28, 2023. The trees or shrubs removed must 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.
5. The activity described in this permit is part of a single and complete project.
6. Under this permit, modifications shall not alter the Project Boundary (generally the 1850 elevation contour). If alteration of the project boundary is proposed, additional information will need to be submitted to Appalachian for review.
7. Grantee shall guarantee APCO the legal right of pedestrian and vehicular ingress and egress on, over and across Grantee's real property upland to, and if applicable, below the 1850-foot contour elevation surrounding Claytor Lake for the purpose of inspecting the shoreline and ensuring compliance with the conditions under which this Permit has been granted. The use of vehicles for this purpose shall be restricted to established roads and driveways, unless otherwise agreed by Grantee. The right of ingress and egress hereby granted may be used by APCO and its agents, employees, contractors, invitees, successors and assigns.
8. This permit does not include permission for the removal of wetland vegetation.
9. By thirty days' notice, mailed to the permittee by registered or certified letter, Appalachian may revoke this permit whenever it determines the public's interest necessitates such revocation or when it determines that the Permittee has failed to comply with conditions of this permit. The revocation notice shall specify the reason for such action.
10. The Permittee is responsible for proper design, engineering, construction, maintenance and placement of any proposed re-vegetation or vegetation measures. Appalachian's review and approval of the plans are no guarantee or assurance the Permittee's plans are proper or adequate for the purpose intended.
11. 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.
12. Success of the re-vegetated buffer shall be based on the following criteria:
 - i. 80% of the re-vegetated buffer survives. Planting that do not survive shall be replaced by the Permittee by the beginning of the next growing season.
 - ii. Plantings shall be made between March 30 and October 15. No plantings shall occur in frozen soils.

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13. If restoration of the vegetated buffer fails, then the reason for this failure shall be determined and a corrective action plan submitted to Appalachian. The corrective action plan shall be implemented by the Permittee upon receipt of written approval from Appalachian.
14. It is understood and agreed by and between Appalachian and Permittee that part of the consideration for the granting of this permit for lakeshore use is the Permittee's agreement to keep Project land 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.
15. It is understood that the water levels at Claytor Lake can fluctuate from time to time, especially during periods of high inflow or during scheduled drawdowns of the reservoir. These fluctuations in the elevation should be taken into consideration when designing re-vegetation plans.
16. 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 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.
17. Permittee agrees to all conditions set forth in the Claytor Project Shoreline Management Plan (SMP) for the Claytor Project, dated November 14, 2022 as approved by Order Approving Revised Shoreline Management Plan Pursuant to Article 414 issued June 28, 2023.