DREDGING PERMIT APPLICATION

Dear Smith Mountain and Leesville Lake Property Owners:

On behalf of Appalachian Power Company (Appalachian), please find the attached Dredging 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 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 February 18, 2025, can be found at www.smithmountainproject.com.
4. A site visit will be conducted by Appalachian upon receipt of the application.
5. The property owner(s) of record, 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 and legal description can be obtained by contacting the appropriate county. Online information is available at www.bedfordcountyva.gov, www.franklincountyva.gov, www.pittsylvaniacountyva.gov,or www.campbellcountyva.gov.
7. Dredging and/or excavation activities may not be preformed between February 15th and June 15th of each year.
8. **Prior to issuance of any authorization for dredging, Appalachian requires the submittal of documentation of an approved permit from the United States Army Corps of Engineers (USACE). The USACE accepts online submittal of applications through the USACE Regulatory Request System (RRS), at https://rrs.usace.army.mil/rrs. For any questions regarding the USACE JPA, or other USACE permitting requirements, please contact the USACE directly.**
9. Mail the completed application, site plans, and USACE permitting to the following address for processing:

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

10. If the proposal meets the SMP, and a USACE permit has been issued, an Appalachian permit will be issued. Approved Appalachian permits may be taken to the appropriate county to obtain the necessary erosion and sediment control permits.
11. Copies of approved county permits must be forwarded to Appalachian for the Appalachian permit to be valid.

Should you have any additional questions, you may contact Appalachian's Shoreline Management staff at 540-985-2579 or shorelinemanagement@aep.com.

Sincerely,

Appalachian Power Company

Permit for Dredging
Appalachian Power Company
Smith Mountain Lake and Leesville Lake

Appalachian Power Company (Appalachian) 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 (800-foot elevation contour for Smith Mountain Lake and 620-foot elevation contour for Leesville Lake).

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

Owner's Mailing Address: _____ _____ _____ _____
(Street) (City) (State) (Zip)

Owner's Contact Information: _____ _____
(Phone) (Email)

Location: ☐ **Smith Mountain Lake** _____ _____ _____ _____ _____
☐ **Leesville Lake** (County) (Subdivision) (Lot No.) (Section) (Tax Map/Parcel ID No.)

Lake Address: _____ _____ _____ _____
(Street) (City) (State) (Zip)

Contractor/Consultant: _____ Phone: _____ Email: _____

Read the following carefully and fill in or attach the appropriate information.

All parties desiring to dredge accumulated sediment from within the Smith Mountain Project must obtain written authorization from Appalachian prior to beginning any activity/construction inside the Project boundary.

1) **Check appropriate box:**
   - ☐ I/we are proposing to dredge 25 cubic yards or less of accumulated sediment.
   - ☐ I/we are proposing to dredge greater than 25 cubic yards of accumulated sediment, totaling _____ cubic yards.
2) **Proposed dredging method:**
   - ☐ Mechanical
   - ☐ Hydraulic
3) **Complete the following information:**
   a. Coordinates of proposed dredging activity (center of proposed dredge): Latitude: _____ Longitude: _____
   b. Are dredging activities proposed in or near wetland areas? Yes _____ No _____
   c. Is dredging proposed between the 795-foot and 793-foot elevation contours? Yes _____ No _____
   d. Is dredging be proposed within ten (10) horizontal feet of the 795-foot elevation contour? Yes _____ No _____
   e. Is the proposed dredging a result of an erosion and sediment violation? Yes _____ No _____
   f. Proposed date(s) of dredging activities _____
4) **For dredging proposals of greater than 25 cubic yards, site plans are required to be submitted. Specifically, a hydrographic survey depicting existing and proposed conditions of areas in the vicinity of the proposed activities is required. The hydrographic survey must depict the 795-foot elevation contour, the 793-foot elevation contour, elevation contours on a one-foot interval within areas proposed to be dredged, a horizontal measurement from the closest point(s) of the proposed dredging to the 795-foot elevation contour, and a cross-sectional drawing of the proposed dredge.**
5) **See the "Terms and Conditions of Permit" listed on Page 2.**

By signing this permit, the Permittee accepts 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 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, 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 structures or other use associated with this 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 page 2 of this form.

_____ _____
Signature of Permittee Signature of Permittee

_____
Date

_____ _____
Print Name Print Name

To be completed by Appalachian – 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 Appalachian Power Company – Authorized Signer

Permit for Dredging
Appalachian Power Company
Smith Mountain Lake and Leesville Lake

TERMS AND CONDITIONS OF PERMIT

This permit is granted by Appalachian Power Company (Appalachian) and accepted by the Permittee, subject to the following terms and conditions:

1. This permit is granted solely for the purpose of dredging of accumulated sediment. No addition or design change shall be made to this permitted dredging activity without prior approval from Appalachian and the U.S. Army Corps of Engineers (USACE) and the Virginia Department of Environmental Quality (VDEQ).
2. Applicants for dredging are responsible for obtaining any necessary permits or authorizations from the USACE and/or VDEQ. Approval by Appalachian does not imply authorization by the USACE or VDEQ, nor does authorization by the USACE and/or VDEQ constitute approval by Appalachian. Applications for an Appalachian dredging permit must also include any additional required permits.
3. The activity described in this permit is part of a single and complete project.
4. Dredging and/or excavation within any wetland area is prohibited. Dredging and/or excavation near any wetland will require sufficient buffers to insure no adverse impacts to those areas.
5. Under this permit, dredging shall not alter the Project boundary (800-foot elevation contour at Smith Mountain Lake and 620-foot elevation contour at Leesville Lake). If altering the Project boundary is proposed, additional information shall be submitted to Appalachian for review.
6. Only accumulated sediment may be removed, the original lake bottom may not be disturbed.
7. At Smith Mountain Lake, dredging and/or excavations between elevations 795' and 793' is prohibited unless Virginia Department of Wildlife Resources (VDWR) concurrence is obtained or unless the sediment is a direct result or an erosion and sediment violation and VDWR concurs with its removal.
8. Dredging within a ten (10) foot safety bench, as measured horizontally from the 795-foot elevation contour at Smith Mountain Lake and from the 613-foot elevation contour at Leesville Lake is prohibited, the purpose of this safety bench is to prevent the shoreline from collapsing.
9. No attempt shall be made by the Permittee to forbid the full and free use by the public of all navigable waters at or adjacent to the permitted dredging or to unreasonably interfere with navigation in connection with the ownership, construction, operation or maintenance of the permitted dredging.
10. By thirty (30) days' notice, mailed to the Permittee by registered or certified letter, Appalachian 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.
11. The Permittee is responsible for proper design, engineering, construction, and maintenance of the proposed dredging activities. 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.
12. Dredging and/or excavation may not be performed between February 15th and June 15th of each year.
13. Dredged and/or excavated material must be deposited outside of the Project boundary and conform to all federal, state, and local regulations.
14. At Leesville Lake, dredging and/or excavation is prohibited in vegetated areas below the 613-foot elevation contour.
15. 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 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.
16. 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 Lake. These elevations should be taken into consideration when planning dredging activities.
17. 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.
18. Permittee agrees to all conditions set forth in the Smith Mountain Pumped Storage Project Shoreline Management Plan as approved by FERC Order Approving and Modifying Updated Shoreline Management Plan issued on February 18, 2025.