

**APPALACHIAN POWER COMPANY
CLAYTOR PROJECT NO. 739
SHORELINE MANAGEMENT PLAN
WORK GROUP MEETING
March 11, 2009
NOTES**

I. INTRODUCTION:

On March 11, 2009, the work group involved in the development of the Shoreline Management Plan (SMP) related to the relicensing of the Claytor Project met at American Electric Power's Pulaski County Service Center. The purpose of the meeting was to continue to work through the elements of the proposed plan. The meeting began at 9:00 AM and adjourned at 11:15 AM.

Meeting participants included the following:

<u>Name</u>	<u>Representing</u>
Bill Kittrell	Virginia Department of Game and Inland Fisheries (VDGIF)
John Copeland	VDGIF
Mike McLeod	Virginia Department of Environmental Quality (VDEQ)
Ron Powers	Friends of Claytor Lake (FOCL)
Chuck Dietz	Virginia Department of Conservation and Recreation (VDCR)
David H. Collett	VDCR
Mary Rhodes	Resident
Melody Taylor	Pulaski County
Christopher Barbour	
Stephen Scheckler	New River Land Trust (NRLT)
Debbie Lineweaver	NRLT
Laura Bullard	FOCL and Resident
Larry Bandolin	Resident
Teresa Rogers	Appalachian Power Company (Appalachian)
Mark McGlothlin	Appalachian
Wayne Alexander	Appalachian
Liz Parcell	Appalachian

Brenda Winn, VDEQ, participated via conference call.

Liz Parcell welcomed the group and participants introduced themselves.

II. SUMMARY:

Ms. Parcell briefed the work group on the progress made to date and noted that Appalachian toured Claytor Lake with the Community Design Assistance Center (CDAC) from Virginia Tech regarding a scenic survey and a proposal is forthcoming. The purpose of the meeting would be to begin to review the low density use regulations and to review previously requested maps. She questioned the progress made to date on slope regulations with the county; a letter of intent is being mailed from FOCL to the county. Ms. Parcell noted that a final plan will be provided with the application in June 2009.

Slope has been taken out of the IMZ classification and will become an overlay. The IMZ has a more time consuming process. Slope isn't a separate classification but an overlay because it overlays several different resources. Laura Bullard had previously suggested that there be a Slope Protection classification. Bill Kittrill asked about slope being under Conservation/Environmental. Liz Parcell explained that the goal is to keep this review under local control. With an overlay, there could still be guidelines within this zone that will need to be developed; the majority of oversight will fall under the county's purview.

Brenda Winn had a general comment on the plan. Her overall impression was that the plan could lead one to think that the only permitting authority that a person would need to be concerned about is AEP in order to authorize an activity. Section 2.1 mentions that there are other regulatory requirements. She wants to make sure that even if AEP allows something under its regulations, many of the activities may require permits from the state. She didn't want someone to walk away with the idea that AEP's approval is the only thing required. AEP may be the clearing house for these types of requests. Liz Parcell explained that what we are trying to do is to get the state requirements up front to make sure that the two are not in conflict. The plan will be reviewed to see if there are other sections that need to mention that other local, state or federal permits may be required.

Laura Bullard requested that the slope and erosion control overlay include highly erodible soil. These areas should be treated separately so that you don't have to go through a long process to get approval.

Bill Kittrell commented that right now slope is listed in the IMZ. What regulatory oversight will Appalachian have if it isn't a classification. Liz Parcell explained that you can still have requirements in an overlay. She reminded people that we don't have control over the activities outside the project boundary.

Debbie Lineweaver asked if it is an overlay, what ensures that the overlay becomes part of this review process? Liz Parcell gave an example: Appalachian has vegetation buffer requirements that are applicable to all classifications. If vegetation is removed, you have to replant. For the slope overlay, if you come in for a permit and it is determined to have steep slope, then you would have to meet X, Y and Z requirements that will be outlined in the plan.

Bill Kittrell indicated that we will need to review the areas of highly erodable soil and aquatic habitat to see where they overlap.

Low Density Use:

Parameters were reviewed.

Brenda Winn indicated that wetlands and stream beds should be added to IMZ parameters. Liz Parcell explained that wetlands are included in Conservation/Environmental which is the most restrictive. Brenda indicated that stream beds should be added to Conservation / Environmental. VDEQ and COE would regulate activities in streams as well.

Brenda Winn mentioned that the COE and VMRC also regulate docks. This would require a Joint Use permit. Liz Parcell indicated that we can contact VMRC for a determination. Brenda Winn indicated that it would be good idea to get a determination from VMRC and get them involved in the process. Liz Parcell indicated that there is a nationwide permit for docks and those constructed at Claytor fall under that permit. She will check and get a copy to the group.

Melody Taylor reviewed current county requirements. The Claytor Lake Surface District approved in 2003. These include dock regulations (residential). If the proposed dock meets the requirements, then the County approves the dock.

Laura Bullard wanted to clarify that Appalachian is proposing to keep IMZ within its review following consultation with agencies. Liz Parcell stated that that would be our goal but FERC may come back and require us to obtain FERC approval for IMZ.

Liz Parcell asked if there are any changes to the existing regulations based on the past implementation of the 2003 guidelines.

Melody Taylor asked if we wanted to keep the 100' of shoreline for a dock (new lot.) She noted that existing lots at the time of regulation did not have to meet the 100' requirement. For structures on land, the side set back is 10' at the County. Do we want to change the setback for docks to match (from 15' to 10')? There is a limit on the size of dock (1000 sq. feet.) Do we want to allow larger docks if there is more shoreline?

Laura suggested that the size be increased based on the amount of shoreline. Mary Rhodes asked if this would increase the distance out in the lake. This would only change the square footage, not the maximum distance it can expand. The question came up on whether you should be able to have multiple structures if there is a lot of shoreline.

Bill Kittrell indicated the whole purpose of the SMP is to direct development as a whole. It would be better from aquatic resources and sight view, to have the docks grouped.

The idea that the size and number of docks be based on the amount of shoreline was discussed. Several options were discussed including one dock per lot but have additional square footage based on shoreline or allow additional square footage based on amount of shoreline with the total number of structures dependent on how you want to use your square footage. Another option was to allow a second dock if you had "X" amount of shoreline or keep 1000' sq. foot limit per dock but allow for multiple docks if there is sufficient amount of shoreline.

For simplicity of the regulations and allow large land owners to have additional docks, it was discussed that for every 1000' of shoreline, the opportunity to build another 1000' square foot dock should be allowed. The group is to think about what the final numbers should be for the amount of shoreline.

It was noted that cove requirements still apply even if you own the shoreline around the entire shoreline.

Melody Taylor asked about personal watercraft and boat lifts. Dave Collett indicated that at the State Park a jet ski is counted as one vessel.

It was noted that the slip area does count in the square. footage, but the walkway does not. Appalachian regulates the number of slips, but not the number of boats that can be parked at a structure.

The group was reminded of the "narrow cove" parameter. This is to keep structures and boats from blocking access to the backs of coves.

The next meeting date will be April 2, 2009 at 1:30 at which time we will finish low density regulations and begin shoreline stabilization. Public Use regulations will be discussed upon Bob Munson's return.

Teresa Rogers verified that the FERC Secretary is Kimberly Bose.

There being no further business, the meeting adjourned at 11:15 AM.