



**DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
JOHN H. KERR RESERVOIR AND DAM
1930 Mays Chapel Road
Boydton, VA 23917-9801**

IN REPLY REFER TO VISITOR ASSISTANCE CENTER

December 18, 2014

SUBJECT: FACILITY RENEWED FOR PERMIT No. 2943, Tract S-1810A

Mrs. Sarah P Krueger
4236 English Holly Circle
Richmond, VA 23294

Dear Mrs. Krueger:

The renewal of your Shoreline Use Permit No. 2943, expiration date 12/31/2019, has been completed. Enclosed is a copy of your permit and all supporting documents. This permit authorizes the following:

MOORING BUOY, VEGETATION MODIFY, IMPROVED WALKWAY/STEPS, VEHICLE ACCESS TRAIL

Your previously assigned permit tag and number will continue to apply. If a new replacement tag is enclosed, please replace the old one with the new one.

Should you have any questions regarding the processing of this permit, please call Joyce Taylor at 434-738-6144, ext. 128. Thank you for your assistance in the management of John H. Kerr Reservoir.

Sincerely,

FOR
Michael T. Womack
Operations Project Manager

Enclosures



DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
JOHN H. KERR RESERVOIR AND DAM
1930 Mays Chapel Road
Boydton, VA 23917-9801

IN REPLY REFER TO VISITOR ASSISTANCE CENTER

October 27, 2014

SUBJECT: RENEWAL OF PERMIT No. 2943, Tract S-1810A, REPAIRS NEEDED

Mrs. Sarah P Krueger
4236 English Holly Circle
Richmond, VA 23294

Dear Mrs. Krueger:

Your shoreline-use permit #2943 expires/expired on 12/31/2014. Your permit authorizes the following:

MOORING BUOY, VEGETATION MODIFY, IMPROVED WALKWAY/STEPS, VEHICLE ACCESS TRAIL

A recent inspection of the activities and facilities authorized by this permit reveals items inconsistent with the terms and conditions of this permit. Before renewal of these facilities, the following actions must be taken: Place post and tag so it can be seen from the water.

After these corrections have been made, please return *all documents* to our office, Attn: Joyce Taylor, along with a check or money order made payable to FAO, USAED, WILMINGTON.

The following actions must be taken for the renewal of your permit:

- Letter** - Upon completion of repairs/corrections, sign and date this letter. *If this request is not completed prior to the expiration date noted above, a Violation Notice may be issued that will require the payment of a fine or your appearance before the U.S. Magistrate.*
- Permit Application (pg 1)** - Sign at the line designated "Grantee". Mark on the application any changes in address, telephone number, and second party information.
- Legal Access Statement (pg 2)** - Sign the appropriate space.
- Exhibit C, Kerr Reservoir Permit/License Conditions** - Initial the "permittee line" for the facilities authorized by your permit. Your initials acknowledge your understanding and acceptance of the conditions.

After your permit has been processed, we will send you a copy of the signed permit and any supporting documents. If you have any questions, please call (434)-738-8143, Monday - Friday between the hours of 8:00 AM and 4:00 PM and ask to speak to the Shoreline Ranger for your area. Your cooperation is greatly appreciated.

Sincerely,

Joyce Taylor
Office Administrator

Enclosures

certify that all of the corrections noted above have been made.

Mrs. Sarah P Krueger

11/2/2014

Date

Application and Permit/License for Shoreline Use**US Army Corps of Engineers
Wilmington District**

For use of this form, see SADVR1130-2-14

Verify the information listed below. Submit a signed copy with a complete set of plans and specifications to the Operations Manager. (PLEASE READ THE ATTACHED TERMS AND CONDITIONS AND PRIVACY ACT STATEMENT PRIOR TO COMPLETING THIS FORM.)

Name and Address of Applicant: Mrs. Sarah P Krueger
4236 English Holly Circle
Richmond, VA 23294

Date: 10/27/2014

Home Phone: (804)360-3312

Describe permit location and adjacent subdivision (if applicable):

Tract: S-1810A, Lot: tract 3, Subdivision: BELLA VISTA, County: Mecklenburg, VA, Ranger Area: 3

Maintain the following facilities as described in Exhibit B and in accordance with conditions detailed in Exhibit C:

MOORING BUOY, VEGETATION MODIFY, IMPROVED WALKWAY/STEPS, VEHICLE ACCESS TRAIL,
ADMIN - RENEWAL

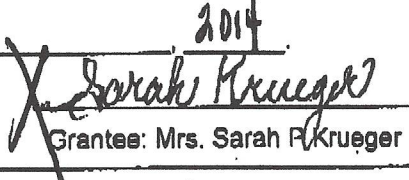
The following person will be available on short-notice call and will be responsible for providing any needed surveillance of the structure in my absence.

Second Party Name:

Home Phone:

Bus. Phone

I understand the conditions of this Permit/License and that no deviations from said terms and conditions may be made, or directed, by me (Grantee) without the expressed written authority of the Corps of Engineers, J. H. Kerr Reservoir, Operations Manager.

I hereby accept this instrument this 2nd day of NOVEMBER, 2014.

Grantee: Mrs. Sarah P Krueger

Special Permit License Conditions: See Exhibit B

Permit/License Number: 2943

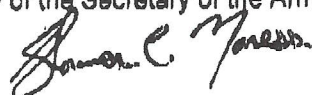
Date Issued: 12/31/2014

Expiration Date: 12/31/2019

The Secretary of the Army hereby grants to the applicant named above a Permit/License for the period specified above, to construct, use, and maintain the items specified and described above and more particularly identified on Exhibit "B" attached hereto and made a part hereto. This Permit/License is granted subject to the attached

License Conditions.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the Secretary of the Army

this 19th day of December, 2014.

X FOR

Michael T. Womack, Operations Project Manager
J.H. Kerr Reservoir

Application and Permit/License for Shoreline Use**LEGAL ACCESS STATEMENT**

(For the purpose of accessing public property and your permitted facility, sign and date the one block that best describes your legal access.)

A. ADJACENT PROPERTY OWNER: I certify that I am an adjacent property owner and have Title to lands having a common boundary with John H. Kerr Reservoir.

Signature	Date
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B. DEDICATED SUBDIVISION ACCESS: I certify that my property is part of the subdivision; therefore I have full rights to use the dedicated subdivision access corridor.

Signature	Date
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C. FLOWAGE EASEMENT LAND PROPERTY OWNERS: In order to access my floating moorage facility on flowage easement property, I certify that I am owner of the land adjoining John H. Kerr Reservoir.

Signature <i>Sarah Krueger</i>	Date 11/2/2014
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D. DEEDED EASEMENT: I certify that I have obtained deeded easement to cross private property from an adjacent property owner. The deeded easement is for a minimum of 5 feet in width and is in effect for the duration of the permit period. To the best of my knowledge, this property owner has title to lands which have a common boundary with John H. Kerr Reservoir. I understand that it is my responsibility to notify the Corps of Engineers upon expiration of the deeded easement.

Signature	Date
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Application and Permit/License for Shoreline Use**Exhibit B: FEE SUMMARY****SPECIAL CONDITIONS:**

1. All special conditions listed on previously issued and separate permits continue to apply unless otherwise stated.

<u>Facility Use/Description</u>	<u>Fee</u>
1. ADMIN - RENEWAL	\$140.00
2. VEHICLE ACCESS TRAIL	\$56.00
grandfathered road	
3. IMPROVED WALKWAY/STEPS	\$50.00
Steps	
4. VEGETATION MODIFY	\$0.00
5. MOORING BUOY	\$35.00
Changed from Buoy to Dock. Not in place.	
Total Fee:	\$281.00

NOV - 5 2014

2568

Application and Permit/License for Shoreline Use

Exhibit "C" Permit/License Conditions

Conditions for

1)

Exhibit "C" Permit/License Conditions

Conditions for All Permits

- 1) Permits will be subject to conditions of the Shoreline Management Plan for John H. Kerr Reservoir, Appendix VI of the Operational Management Plan, latest revision. (Currently January 1995)
- 2) All permitted facilities must be in place within 6 months of permit issuance or the permit will be cancelled.
- 3) The permit / license is subject to the right of the United States, its officers, agents and employees, to enter upon the said premises at any time for any purpose necessary or convenient in connection with river and harbor flood control work; to remove therefrom timber or other material required or necessary for such work, and to flood the premises whenever necessary, and the licensee shall have no claim for damages of any character on account thereof against the United States or any officer, agent or employee thereof. The right to flood the premises shall include the right to inundate the land periodically and intermittently as may be necessary in the operation of the reservoir pool. The United States shall not be liable for damages to any property of the licensee that may be located on the premises as the result of such inundation, wave action, the deposit of debris, falling vegetation or any other cause resulting from the operation of the dam and reservoir or pool.
- 4) Access is granted to government employees for inspection purposes.
- 5) On Flowage Easement Lands, only conditions for floating facilities (dock, boat house, buoy) apply.
- 6) This permit is granted solely for the purpose(s) described on Application and Permit/License for Shoreline Use.
- 7) The permittee agrees to and does hereby release and agree to save and hold the government harmless from any and all causes of action, suits at law or equity, or claims or demands or from any liability of any nature whatsoever for or on account of any damages to persons or property, including the permitted facility, growing out of the ownership, construction, operation or maintenance by the permittee of the permitted facilities and/or activities.
- 8) Ownership, construction, operation use or maintenance of the permitted facility is subject to the government's navigation servitude.
- 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 facility or to unreasonably interfere with any authorized project purposes, including navigation in connection with the ownership, construction, operation or maintenance of the permitted facility and/or activities.
- 10) The permittee agrees that if subsequent operations by the government require an alteration in the location of the permitted facility and/or activity or if in the opinion of the district commander the permitted facility and/or activity shall cause unreasonable obstruction to navigation or that the public interest so requires, the permittee shall be required, upon written notice from the district commander to remove, alter, or relocate the permitted facility, without expense to the government.

Application and Permit/License for Shoreline Use

Exhibit "C" Permit/License Conditions

Conditions for All Permits

- 11) The government shall in no case be liable for any damage or injury to a permitted facility which may be caused by or result from subsequent operations undertaken by the government for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage. This includes any damage that may occur to private property if a facility is removed for noncompliance with the conditions of the permit.
- 12) Ownership, construction, operation, use and maintenance of a permitted facility and/or activity are subject to all applicable Federal, state, and local laws and regulations. Failure to abide by these applicable laws and regulations may be cause for revocation of the permit.
- 13) This permit does not convey any property rights either in real estate or material; and does not authorize any injury to private property or invasion of private rights or any infringement of Federal, state, or local laws or regulations nor does it obviate the necessity of obtaining state or local assent required by law for the construction, operation, use or maintenance of the permitted facility.
- 14) The permittee agrees to construct the facility within the time limit agreed to on the permit issuance date. The permit shall become null and void if construction is not completed within that period. Further, the permittee agrees to operate or maintain a permitted facility and/or activity in a manner so as to provide safety, minimize any adverse impact on fish and wildlife habitat, natural, environmental, or cultural resources values and in a manner so as to minimize the degradation of water quality.
- 15) The permittee shall remove the permitted facility within 30 days, at his expense, and restore the waterway and lands to a condition accepted by the resource manager upon termination or revocation of this permit or if the permittee ceases to use, operate, or maintain a permitted facility and/or activity. If the permittee fails to comply to the satisfaction of the resource manager, the district commander may remove the facility by contract or otherwise and the permittee agrees to pay all cost incurred thereof.
- 16) If permitted facilities are removed for storage or extensive maintenance, the resource manager may require all portions of the facility be removed from public property.
- 17) The use of a permitted boat dock facility shall be limited to the mooring of the permittee's vessel or watercraft and the storage, in enclosed locker facilities, of his/her gear essential to the operation of such vessel or watercraft.
- 18) Neither a permitted facility nor any houseboat, cabin, cruiser, or other vessel moored thereto shall be used as a place of habitation or as a full or part-time residence or in any manner which gives the appearance of converting the public property, on which the facility is located, to private use.
- 19) Facilities granted under this permit will not be leased, rented, sub-let or provided to others by any means of engaging in commercial activity(s) by the permittee or his/her agent for monetary gain. This does not preclude the permittee from selling total ownership to the facility.
- 20) Floats and the flotation material for all docks and boat mooring buoys shall be fabricated of materials manufactured for marine use. The float and its flotation material shall be 100% warranted for a minimum of 8 years against sinking, becoming water-logged, cracking, peeling, fragmenting, or losing beads. All floats shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. All floats and the flotation material used in them shall be fire resistant. Any float which is within 40 feet of a line carrying fuel shall be fire resistant. The use of new or recycled plastic or metal drums or non-compartmentalized air containers for encasement or floats is prohibited. Existing floats are authorized until it or its flotation material is no longer serviceable, at which time it shall be replaced with a float that meets the conditions listed above. For any floats installed after the effective date of this specification, repair or replacement shall be required when it or its flotation material no longer performs its designated function or it fails to meet the specifications for which it was originally warranted.

Application and Permit/License for Shoreline Use

Exhibit "C" Permit/License Conditions

Conditions for All Permits

- 21) Permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. If an inspection reveals conditions which make the facility unsafe in any way, such conditions will be corrected immediately by the owner upon receipt of notification. No deviation or changes from approved plans will be permitted without prior written approval of the resource manager.
- 22) Floating facilities shall be securely attached to the shore in accordance with the approved plans by means of moorings which do not obstruct general public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited.
- 23) The permit display tag provided shall be posted on the permitted facility and/or on the land areas covered by the permit so that it can be visually checked with ease in accordance with instructions of the resource manager.
- 24) No vegetation other than that prescribed in the permit may be damaged, destroyed, or removed. No vegetation of any kind will be planted, other than that specifically prescribed in the permit. (not applicable on easement lands)
- 25) When vegetation modification on these lands is accomplished by chemical means, the program will be in accordance with appropriate Federal, state and local laws, rules and regulations.
- 26) When vegetation modification is allowed, the permittee will delineate the government property line in a clear, but unobtrusive manner approved by the resource manager and in accordance with the project Shoreline Management Plan.
- 27) No change in land form such as grading, excavation, or filling is authorized by this permit. (easement lands may require written consent)
- 28) This permit is non-transferable. Upon the sale or other transfer of the permitted facility or the death of the permittee and his/her legal spouse, this permit is null and void.
- 29) If the ownership of a permitted facility is sold or transferred, the permittee or new owner will notify the resource manager of the action prior to finalization. The new owner must apply for a Shoreline Use Permit within 14 days or remove the facility and restore the area within 30 days from the date of ownership transfer.
- 30) By 30 days written notice, mailed to the permittee by registered or certified letter, the district commander may revoke this permit whenever the public interest necessitates such revocation or when the permittee fails to comply with any permit condition or term. The revocation notice shall specify the reasons for such action. If permittee requests a hearing in writing to the district commander through the resource manager within 30 day period, the district commander shall grant the hearing date at the earliest opportunity. In no event shall the hearing date exceed 60 days from the date of the hearing request. Following the hearing, a written decision will be rendered and a copy mailed to the permittee by certified letter.
- 31) Notwithstanding the condition cited in condition 25 above, if in the opinion of the district commander, emergency circumstances dictate otherwise, the district commander may summarily revoke this permit.
- 32) The resource manager or his/her authorized representative shall be allowed to cross the permittee's property, as necessary, to inspect facilities and/or activities under permit.
- 33) This permit is a privilege granted by the United States. In consideration of the issuance of this permit, the permittee must be in compliance with Title 36, Part 327 (including but not limited to Sections 14, 15, 20, and 30) and must remain in compliance with those sections. Any incidents of noncompliance with those sections or the conditions above, will result in revocation of this permit or non-renewal, or the addition of other special conditions. Non-renewal or revocation will require removal of the permitted facility(ies) at the owner's expense.

Exhibit "C" Permit/License Conditions

Application and Permit/License for Shoreline Use

Exhibit "C" Permit/License Conditions

Conditions for Improved Walkways/Steps

- 1) Walkway/Stairway cannot exceed 5 feet in width and must have breaks in the handrails to allow for pedestrian crossing. Sitting decks or landings are prohibited. A resting bench is permitted as long as it does not cause the walkway to exceed the 5 foot width limitation.
- 2) Stairways are to be constructed according to Corps-provided "Approved Drawing of Typical Stairway" unless alternate plans are submitted and approved in advance.
- 3) Golf carts and small lawn mowers are permitted within the designated walkway area only.
- 4) No new concrete or asphalt walkways will be approved without physician provided documentation of handicap. However, staked landscape timbers with pea gravel are acceptable.
- 5) "Handrail" only permits do not allow for modified walking surfaces.
- 6) Grandfathered walkways may stay in the approved location as long as they are maintained in a safe and structurally sound condition, and a higher resource management purpose does not exist.
- 7) Grandfathered walkway based facilities are reassignable to a new permittee.
- 8) If the license is cancelled, the facility must be removed from public property by the permittee.

Exhibit "C" Permit/License Conditions

Conditions for Mooring Buoy

- 1) Buoys must be at least 15" in diameter, constructed of material that will not sink when punctured, and be painted white with a minimum of 2" blue band, tagged with the permit number, and maintained on the reservoir throughout the permit period.
- 2) Permit Numbers - The permittee must either paint or place 3-inch adhesive numbers on the buoy above the water line. The metal permit placard must be placed on a treated 4"x4" post at the approved shoreline position (if not associated with a boat dock/house).
- 3) Extra buoys associated with docks are not reassignable to a new permittee unless a special need is demonstrated.

Exhibit "C" Permit/License Conditions

Conditions for Vegetation Modification

- 1) A) Vegetation modification areas cannot exceed a maximum width of 100 feet or 1 acre in size. B) Tree spacing must be maintained at a minimum of 1 tree every 15 feet, and no new lawns are to be established. C) No trees larger than 3" in diameter at ground level shall be removed unless marked by ranger. D) Pruning will be limited to limbs less than 1" in diameter and below 10 ft. in height. E) Burning of piled brush is allowed (below 300 mean sea level) provided all applicable fire laws are observed, and no other vegetation is damaged. Burning/raking to reduce leaves and other natural materials is prohibited. F) Within the designated underbrush area, lawn mowers, weed eaters, and chain saws can be utilized. G) The property line must be delineated. H) The use of herbicides is prohibited, except in selected spots as approved by the area ranger and noted on permit. I) The Resource Manager reserves the right to plant additional vegetation within the area and/or mark individual trees or vegetation for protection. J) The permit does not grant permission to construct or maintain a roadway on Government property.

Application and Permit/License for Shoreline Use**Exhibit "C" Permit/License Conditions****Conditions for Vegetation Modification**

- 2) Vegetation Modification areas issued prior to the 1995 Shoreline Management Plan that are currently larger than 100ft. or 1 acre in total area are considered to be grandfathered. Permit area size limits are reassignable to new permittees.
- 3) Vegetation Modification areas issued prior to the 1995 Shoreline Management Plan that do not meet the minimum tree spacings of 1 tree every 15 feet must be brought up to the minimum standards on the dates specified within the plan on p.24, either through natural revegetation or through planting of approved native species.

Exhibit "C" Permit/License Conditions**Conditions for Vehicle Access Trails**

- 1) Private access trails in use prior to the 1980 Shoreline Management Plan and in continuous use since then must be licensed to an adjacent landowner or a responsible party with legal access. Generally, only one trail will be licensed to per household.
- 2) Access trails that serve as an extension of a deeded access corridor must be licensed to a homeowners association.
- 3) Maintenance of vehicle access trails is limited to resurfacing with existing materials or erosion control techniques. Existing turn-arounds and parking areas will be restricted by the permittee installing and maintaining barriers and posting 'no vehicle operation' and 'no parking zone' signs as approved by the area Ranger. Barriers must be in place at all times, and trails must be maintained so as to reduce erosion and impact to adjacent areas.
- 4) Operation of motorized vehicles is permitted only on the roadbed surface. Vehicle operation below elevation 302 M.S.L. is prohibited. Operation off the designated vehicle access trail result in termination of the permit and subsequent closing of the trail.
- 5) Access trails are reassignable to a new permittee controlling access to the trail.
- 6) New access trails are prohibited.
- 7) No launching of boats from shoreline. Launching from the shoreline will result in the termination of the permit and subsequent closing of the trail.
- 8) Any person having vehicular or pedestrian legal access across private land to the vehicle access trail may utilize the facility.

Permittee Initials

SK

Application and Permit/License for Shoreline Use

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY	The Rivers and Harbors Act of 1894 as amended and supplemented (33 U.S.C. 1)
PRINCIPAL PURPOSE	Provide the Corps of Engineers with information for contact of the responsible person applying for and/or receiving a Shoreline Management permit. The description of the activity is needed to assure Conditions of the permit requirements are met.
ROUTINE USES	The information on this application is used in considering the issuance of Shoreline Management permits on Corps of Engineers projects. This information is collected and maintained at project offices and is used as a basis for issuing permits. The applicant's name and address are considered public information and may be disclosed in response to a Freedom of Information Act request.
DISCLOSURE	Disclosure of information is voluntary. However, failure to provide the requested information will preclude the issuance of a Shoreline Management permit.

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
JOHN H. KERR RESERVOIR AND DAM

INSPECTION REPORT

PERMIT: 2943

Expires: 12/31/2014

Name: Mrs. Sarah P Krueger

Quarter: 4

Home Phone: (804)360-3312

Ranger: 3

Work Phone:

Use: _____

Subdivision: BELLA VISTA

TRACT: S-1810A

LOT: tract 3

Facilities to Inspect:

- Boat*
(1) BOAT DOCK - Formerly D-1052

Remarks:

Boat
PH+ Post + tag so can be
seen from water

- (2) VEGETATION MODIFY - Formerly 88-110

Remarks:

OK

- (3) IMPROVED WALKWAY/STEPS - Formerly K-85-717

Remarks:

OK

- (4) VEHICLE ACCESS TRAIL

Remarks:

OK

Remarks:

Ranger:

PH

Date:

1/12/14