

**JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS
FLUVANNA COUNTY LIBRARY, 214 COMMONS BLVD.
PALMYRA, VIRGINIA**

**August 12, 2020
9:00 A.M.**

Present: D. D. Watson (Chairman), Mark Dunning (Vice Chairman), Joe Chesser (Treasurer), Troy Wade, Eric Dahl, and Christian Goodwin

Absent: (none)

Others Present: Brendan Hefty (Hefty, Wiley, and Gore), Justin Curtis (Aqualaw), Pam Baughman (Louisa Water Authority)

CALL TO ORDER

The Chairman called the meeting of the James River Water Authority (JRWA) Board of Directors to order at 9:00 a.m., and led the Board in the Pledge of Allegiance.

ADOPTION OF AGENDA

On the motion of Mr. Chesser, seconded by Mr. Dahl, which carried by a vote of 6-0, the agenda was adopted with the addition of an invoice from The Timmons Group.

ITEMS FROM THE PUBLIC

There were no comments made by the public.

APPROVAL OF MINUTES OF PRECEDING MEETING

On the motion of Mr. Dahl, seconded by Mr. Chesser, which carried by a vote of 6-0, the Board approved the minutes of the August 12, 2020 meeting.

FINANCIAL REPORT

Mr. Chesser and Mr. Dahl reviewed the bills in the Board packet and the additional invoice from the Timmons Group for \$5,830 and a wire transfer fee of \$25. Mr. Chesser stated that payment of the bills would leave remaining balance of \$198,528.20 to meet future obligations. On the motion of Mr. Dahl, seconded by Mr. Dunning, which passed by a vote of 6-0, the Treasurer's report and bills were approved.

DISCUSSION/INFORMATION ITEMS

COE Permit Update

Justin Curtis provided an update on the Corps of Engineers (COE) permit process. He reported

that the current application process was on hold with the COE in accordance with the JRWA request, so that further information regarding alternatives could be evaluated. This time has been used to more fully delve into matters such as landowners, stakeholders and related concerns which may come forward if an alternative route is selected. He recommended a more detailed look at Option 1C, the Forsyth alternative, which is further upstream on the James River and which includes a longer pipeline route to the interconnect point. Third parties, including the Monacan Indian Nation, have indicated the potentially preferable nature of this location and route pending further archeological study. The next step, according to Mr. Curtis, would be to engage a phase 1 evaluation which GAI, with input from Gray and Pape, the Monacan Indian Nation's recommended archeological consultants, provided a quote of approximately \$155,000 to perform. Mr. Curtis stated that the actual amount could be less once the Corp delineated the regulated permit areas along the route, and that while GAI would manage the effort, fieldwork would be completed by a sub consultant.

Mr. Dunning asked if the proposed amount would be just for management, and Mr. Curtis responded that it would be all-inclusive. Mr. Goodwin asked about a timeline for the effort, and Mr. Curtis estimated 3-4 weeks for preparatory work with the COE and the Department of Historic Resources, with up to 90 days for fieldwork. Mr. Wade asked if JRWA should continue the suspension of the existing application, and Mr. Curtis responded that not doing so would have a budgetary impact.

Mr. Watson asked if the testing would be impacted by colder weather, and Mr. Curtis responded that it could, but that some of the prior testing had taken place in winter months. Mr. Dahl asked about the selection process for sub consultants, and Mr. Curtis answered that GAI would use their expertise in that effort. A brief discussion of procurement ensued.

Mr. Chesser asked about consultation with the Monacan. Mr. Curtis responded that he has periodic informal discussions with their counsel, but that any official decision regarding consultation would be up to the COE. A discussion of permitting processes ensued. Mr. Curtis stated that each of the existing permits (from the Department of Environmental Quality, the Virginia Marine Resources Commission, and the COE) could be either modified or resubmitted. If a new route is chosen, the COE permit application could be a relatively streamlined process which could reuse much of the existing permit work. The current DEQ permit has a 15 year term, and would likely be processed as a major modification. Mr. Wade asked if it would be better to, prior to expending additional funds for archeological work, obtain more detailed information on the permit application requirements. Mr. Curtis responded that those answers can be obtained from the permitting agencies, but that associated costs would be unlikely to change. Mr. Goodwin asked if river studies, such as a bathymetric evaluation, had been performed at the possible option 1C withdrawal location. Mr. Curtis responded that he was not sure about a bathymetric study, but that a technical evaluation of marine impacts had been performed.

Mr. Dahl asked what would happen if the JRWA requested that the COE lift the current suspension, and Mr. Curtis responded that the JRWA would likely get a COE letter within 30 days with questions stemming from public comment. JRWA would likely have 30 days to respond, and could ask for an extension. The COE would then decide to either require an environmental assessment or an environmental impact statement (EIS). The EIS is much more involved and requires more time, and the COE may either elect to handle it in-house or have the JRWA develop it. Mr. Curtis stated that there no major environmental impacts known at this time on option 1C,

but this effort would ascertain the existence of historical or archeological concerns. Mr. Curtis estimated that we would be ready to move forward with one of the options in the Spring of 2021, and noted that the initial study work on option 1C could lead to the requirement of phase 3 work.

Mr. Dunning asked if the phase 1 work on option 1C included the pipe route or just the intake location, and Mr. Curtis responded that the cost estimate included both. Mr. Dahl asked if would be possible to look at pipe suspension as opposed to open cutting, and Mr. Curtis responded that this would require engineering analysis. Mr. Goodwin asked about the estimated cost for responding to public comments on the current application, and Mr. Curtis very roughly estimated \$50,000, with input from engineering, legal, and archeological team representatives.

Mr. Wade asked if the current permit process could be un-suspended and re-suspended if necessary, and Mr. Curtis responded that there was no protocol and this would be decided by the COE. The main concerns in re-focusing on the current application would be team resources and costs.

Mr. Wade motioned to move forward with archeological studies on option 1C within the current budget as estimated by GAI. Mr. Chesser seconded the motion, which passed by a vote of 6-0.

ACTION ITEMS

(none)

CONSENT AGENDA

(none)

CLOSED SESSION

(none)

ADJOURNMENT

On the motion of Mr. Wade, seconded by Mr. Chesser, which carried by a vote of 6-0, the Board voted to adjourn the meeting at 9:41 a.m.

BY ORDER OF:

D.D. WATSON, CHAIRMAN
BOARD OF DIRECTORS
JAMES RIVER WATER AUTHORITY