

**JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS
FLUVANNA COUNTY LIBRARY
PALMYRA, VIRGINIA
April 13, 2022
9:00 A.M.**

Present: D. D. Watson (Chairman), Joe Chesser (Treasurer), Eric Anderson, Eric Dahl, and Eric Purcell

Absent: Christian Goodwin

CALL TO ORDER

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

ADOPTION OF AGENDA

On the motion of Mr. Anderson, seconded by Mr. Purcell, which carried by a vote of 5-0, the agenda was adopted.

ITEMS FROM THE PUBLIC

There were no comments from the public.

APPROVAL OF MINUTES OF PRECEDING MEETING

On the motion of Mr. Dahl, seconded by Mr. Purcell, which carried by a vote of 4-0, the Board approved the minutes of the March 16, 2022 meeting.

FINANCIAL REPORT

Mr. Chesser reviewed the bills in the packet. The remaining balance after payment would be \$123,023.88. A brief discussion regarding payments prior to the meeting ensued.

DISCUSSION/INFORMATION ITEMS

Update – Project Permitting and Stipulation of Eligibility for the Pump Station Site

The Board received an update on the Corps of Engineers (COE) permit process from Mr. Justin Curtis of Aqualaw. Mr. Curtis reported that fieldwork and related studies are in progress and that permission has been obtained from roughly half of the necessary landowners. The state code gives the Authority the ability access properties to complete the studies, but the project team’s intent is to obtain voluntary permission. Mr. Curtis reported that JRWA has communicated plans to Henrico as planned, and that a future meeting is planned. Mr. Dahl provided further details on landowner communications and the JRWA’s related efforts. Mr. Curtis stated that the draft Phase 2 work plan had been delivered to GAI from Gray and Pape, who is reviewing it before circulation with other

consulting parties. Mr. Curtis reviewed archeological work phases and related information pertinent to a necessary Board decision regarding the stipulation of pump station site eligibility on the National Register of Historic Places. Mr. Purcell asked if such stipulation impacted anything beyond the order and procedure of the effort, and Mr. Curtis responded that it did not. Mr. Curtis explained that the other four sites on the water line itself should be part of a Phase 2 study to see if inclusion on the National Register was necessary, but that the pump station merited separate and advance consideration based on existing information. For any of the five sites, if Phase 3 studies are necessary, they would not be impacted by advance inclusion. Performing a Phase 2 study on the pump station site would increase the time necessary to get the permit, whereas stipulating eligibility would shorten the timeframe in advance of the permit. Time to construction would be largely unaffected, and advance stipulation would defer significant costs until after the permit is obtained. In summary, Mr. Curtis recommended that, given the benefits of obtaining the permit in a timely manner and not spending unnecessary funds in advance of the permit, eligibility of the pump station site be stipulated. Mr. Jonathan Glenn of GAI agreed with Mr. Curtis, noting that stipulation would negate the need to excavate the site twice.

Mr. Purcell asked if DHR disagreed with the stipulation, would the JRWA be in the same position it is now. Mr. Curtis stated that it would. Mr. Anderson asked about the likelihood of Phase 3 requirements based on what had been found. Mr. Glenn responded that the recommendation was based on the findings of the Phase 1 study. Mr. Watson asked about the impact on the status of the overall application. Mr. Curtis responded that it was in process and that this would not affect the timing of the application but it could speed the process of receiving the permit. Mr. Anderson asked if the Monacan had weighed in on the question, and Mr. Curtis responded that a Monacan representative had expressed tentative support due to the reduced impact on the site. Mr. Dahl noted that if evidence pointed to Phase 3 and mitigation, he would support stipulation on this site and Phase 2 efforts on the remaining four. This would also reduce agricultural impact, he said.

On the motion of Mr. Purcell, seconded by Mr. Anderson, which passed by a vote of 5-0, the Board voted to support stipulating eligibility of the pump station site for inclusion on the National Register.

Mr. Curtis reviewed the uplisting of Northern Long-eared Bats on the Endangered Species list and the potential timing of necessary tree work. According to Mr. Curtis, we would possibly need to plan efforts around associated requirements. Also, Mr. Curtis noted that the United States Supreme Court had recently reinstated a Trump-era rule impacting our DEQ and COE permit. The ruling results in slight process changes which should not add any time to the effort. Finally, Mr. Curtis noted that every ten years, regional water supply plans must be updated, and localities can work together on a regional basis. Mr. Curtis stated that the City of Richmond has objected to the regional partners in the Fluvanna / Louisa region but that the rule has not been finalized. Discussion ensued as to representation and the associated process.

Mr. Curtis reported that next steps would be finalization of the Phase 2 work plan with consulting partners and associated updates regarding the permit application.

Discussion – GAI Budget

Mr. Glenn reported that the request in the Board packet included a list of task which GAI considered likely in the process, as well as associated price forecasts. He reviewed the table in the

packet, which totaled roughly \$58,000, and which he stated would be billed only if costs were incurred. Mr. Dahl stated that the Board had already approved the initial costs detailed in the packet, but that these costs would be those which might be incurred in the remaining efforts. Mr. Purcell asked for further detail regarding the “additional tasks” line, and Mr. Glenn responded that these were intended to cover contingent requests beyond those enumerated in the list.

On the motion of Mr. Dahl, seconded by Mr. Purcell, the request was approved by a vote of 5-0.

ACTION ITEMS

Mr. Dahl asked if the bills had been voted on. On the motion of Mr. Purcell, seconded by Mr. Anderson, the bills were approved by a vote of 5-0.

Mr. Hefty noted that with Mr. Dunning’s passing, a new Vice Chairman should be elected, and also that JRWA had not formally elected a Chairman in 2021. Mr. Purcell nominated Mr. Watson as Chairman. Mr. Dahl seconded the motion, which passed 5-0. Mr. Watson nominated Mr. Anderson as Vice Chairman. Mr. Dahl seconded the motion, which passed 5-0. Mr. Purcell nominated Mr. Chesser to serve as Treasurer. Mr. Anderson seconded the motion, which passed 5-0.

CONSENT AGENDA

(none)

CLOSED SESSION

(none)

ADJOURNMENT

On the motion of Mr. Purcell, seconded by Mr. Dahl, which carried by a vote of 5-0, the Board voted to adjourn the meeting at 9:47 a.m.

BY ORDER OF:

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