

**JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS
FLUVANNA COUNTY ADMINISTRATION BUILDING
PALMYRA, VIRGINIA
December 13, 2023
9:00 A.M.**

Present: D. D. Watson (Chairman), Eric Anderson (Vice Chairman), Patricia Eager, Eric Purcell, Christian Goodwin, Eric Dahl (Treasurer)

Absent: (none)

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 and asked Mr. Goodwin to lead the Board in the Pledge of Allegiance.

ADOPTION OF AGENDA

On the motion of Ms. Eager, seconded by Mr. Goodwin, which carried by a vote of 6-0, the draft agenda was adopted.

APPROVAL OF MINUTES OF PRECEDING MEETING

On the motion of Mr. Goodwin, seconded by Mr. Anderson, which carried by a vote of 6-0, the Board approved the draft minutes from the preceding meeting.

FINANCIAL REPORT

Mr. Dahl briefed the Board on bills in the packet for consideration and the Authority's current balances. He noted that some of the bill sizes are increases as the project nears construction, and stated that he may need to work with the Virginia Resources Authority on pre-authorization. There is roughly \$4.3 available in debt funding, and after the next drawdown and bills, approximately \$3M will remain. On the motion of Mr. Purcell, seconded by Mr. Anderson, the bills and financial report were approved by a vote of 6-0.

PUBLIC INFORMATION AND DISCUSSION

Discussion – Project Status Update

Justin Curtis provided an update on the permit status for the only remaining major permit, which is from the U.S. Army Corps of Engineers (COE). The JRWA received comments from the Monacan Indian Nation (MIN) and the Virginia Department of Historic Resources (DHR). According to Mr. Curtis, the comments were clarifying in nature and no followups have been received. The COE has issued all three public notices with regard to the permit. The notice of adverse effect was issued on December 7 and has a 15 day comment period. This gives the public the opportunity to comment on any impacts and/or indicate interest in being a consulting party to the process. The

DHR, MIN, COE and some others are expected to wish to consult, and a meeting with the parties is expected in mid-January. Following the meeting, the JRWA may make any relevant responses and resubmit by the end of the month. A separate notice was also issued to the Advisory Council on Historic Preservation and their response is due by December 20. Finally, the notice to U.S. Fish and Wildlife Services (FWS) has been issued, triggering a separate consultation on bats and mussels. This process began December 4th and typically takes 60 days although a more efficient response is expected.

Mr. Goodwin asked about the best case for permit timing. Mr. Curtis responded that the FWS consideration has the longest time period and that any comments would require quick response. If the COE issues a draft permit in February, roughly 2 weeks would be required for an internal review, put permit issuance in mid-February.

Mr. Purcell stated that it sounded like the Corps was providing more complaint coordination than engineering review, and that it was unfair to allow very expensive and responsible efforts like these to be drawn out unnecessarily. Mr. Curtis responded that the process isn't necessarily common sense, and is a result of 50 year old legislation that is loosely written, ill defined, and needs reform. He stated that the Virginia Department of Environmental Quality, for its, is working to refine its processes.

Joe Modica reported that of the 17 parcels necessary for the project, plats have been developed for 16, 11 offers have been submitted and eight deeds have been recorded. Tree work should begin in January with Phase 3 in march and construction in June, pending permit issuance.

Eric Dahl reported that the Fluvanna Special Use Permit goes to their Board of Supervisors on December 20 with no anticipated issues. He will also request a fee waiver for Erosion and Sediment Control.

Christian Goodwin and Eric Dahl reported on the denial of the grant application to the Virginia Department of Health and the associated project funding process. A discussion of cash flows and timing ensued. Robert Popowicz noted that a lead/copper inventory may be beneficial in the next grant application.

ACTION ITEMS

Public Hearing - Resolution Approving Public Purpose and Authorizing Acquisition of Necessary Property by Eminent Domain

Brendan Hefty introduced the resolution for the Board's consideration, noting that it was procedural in nature in case any condemnation is necessary, and that it was similar to that adopted at the previous project site. Mr. Watson opened the public hearing and asked for public comment. There was none, and the public hearing was closed. On the motion of Mr. Purcell, seconded by Mr. Anderson, the resolution was approved by a vote of 6-0.

CONSENT AGENDA

(none)

CLOSED SESSION

(none)

ADJOURNMENT

On the motion of Mr. Purcell, seconded by Mr. Goodwin, which carried by a vote of 6-0, the Board voted to adjourn the meeting at 9:37 a.m.

BY ORDER OF:

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