James River Water Authority Board of Directors Meeting Fluvanna County Administration Building- Morris Room 132 Main Street Palmyra, VA 22963 July 12, 2023 9:00 A.M.

Regular Meeting of the James River Water Authority Board of Directors

- I. Call to Order
- II. Adoption of Agenda
- **III.** Approval of Minutes of Preceding Meeting a. June 14, 2023 – Regular Meeting

IV. Financial Report

- a. Bill Approval
 - i. Aqualaw
 - ii. GAI Consultants
 - iii. VAcorp
 - iv. Faulconer Construction Company

V. Public Information and Discussion

a. Discussion – Project Status Update

VI. Action Items

- a. FY22 to FY23 Capital Budget Carryover
- b. Timmons Group Re-Allocation Budget Request
- VII. Consent Agenda
- VIII. Closed Meeting

IX. Adjournment

The James River Water Authority Board of Directors reserves the right to amend and/or change the Agenda the day of the meeting.

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

JAMES RIVER WATER AUTHORITY BOARD OF DIRECTORS FLUVANNA COUNTY ADMINISTRATION BUILDING PALMYRA, VIRGINIA June 14, 2023 9:00 A.M.

Present: D. D. Watson (Chairman), Eric Anderson (Vice Chairman), Joe Chesser (Treasurer), Christian Goodwin, Eric Dahl

Absent: Eric Purcell

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 led the Board in the Pledge of Allegiance.

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES OF PRECEDING MEETING

On the motion of Mr. Dahl, seconded by Mr. Anderson, which carried by a vote of 5-0, the Board approved the draft minutes from the preceding meeting.

FINANCIAL REPORT

Mr. Chesser briefed the Board on bills in the packet for consideration. On the motion of Mr. Goodwin, seconded by Mr. Dahl, the bills were approved by a vote of 5-0.

PUBLIC INFORMATION AND DISCUSSION

Discussion – Project Status Update

Mr. Justin Curtis of Aqualaw provided an update on the project status. As discussed at the last meeting, the Virginia Marine Resources Commission (VMRC) permit is no longer necessary. The Department of Environmental Quality (DEQ) has a draft permit ready after a few updates, and is working to incorporate the change in the VMRC permit requirement. After the JRWA reviews the draft permit, it will go out for public review. Mr. Curtis noted some scheduling issues with the Corps of Engineers (COE), and a meeting is planned later today with the project's COE representative. Mr. Curtis will provide a status update as soon as possible.

Mr. Joe Modica of MBP noted that pricing is in process for necessary easement and right of way acquisition, and that the solicitation for phase three archeological efforts is being finalized. Mr. Greg Krystiniak of Faulconer Construction provided further detail on the acquisitions process.

Mr. Goodwin asked about if permitting efforts were still on schedule given the COE delays. Mr. Curtis responded that a consolidated review of the JRWA's application materials is contemplated, and that the target timeline would be 60 days for permit approval with phase three work completed by the end of the calendar year.

ACTION ITEMS

(none)

CONSENT AGENDA

(none)

CLOSED SESSION

On the motion of Mr. Anderson, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Board voted to enter Closed Session at 9:18 a.m. for the purpose of discussing the following:

1. In accordance with §2.2-3711(A)(3), the acquisition/disposition of property associated with easements and rights of way for the project.

RESUMPTION OF REGULAR SESSION

On the motion of Mr. Goodwin, seconded by Mr. Anderson, which carried by a vote of 5-0, the Board voted to return to regular session at 10:04 a.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

By roll call, which carried by a vote of 5-0, the Board voted to adopt the following resolution:

WHEREAS, the James River Water Authority Board of Directors has convened a Closed Meeting pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D of the Code of Virginia requires a certification by the James River Water Authority Board of Directors that such closed meeting was conducted in conformity with the Virginia Law.

NOW, THEREFORE BE IT RESOLVED that the James River Water Authority Board of Directors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the James River Water Authority Board of Directors.

NAME	<u>VOTE</u>
Joe Chesser	Yes/Aye
D.D. Watson	Yes/Aye
Christian Goodwin	Yes/Aye
Eric Dahl	Yes/Aye
Eric Anderson	Yes/Aye

Eric Purcell

(absent)

On the motion of Mr. Anderson, seconded by Mr. Chesser, which carried by a vote of 5-0, the Board approved a budget of \$35,000 for right of way and easement acquisition, and approved Mr. Dahl to: execute offer letters and other documents related to the property acquisition; and record such associated documents as required.

ADJOURNMENT

On the motion of Mr. Goodwin, seconded by Mr. Dahl, which carried by a vote of 5-0, the Board voted to adjourn the meeting at 10:05 a.m.

BY ORDER OF:

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

QUALAW

JUSTIN W. CURTIS JUSTIN@AQUALAW.COM

June 14, 2023

Рн: 804.716.9021 Fx: 804.716.9022

Mr. Eric Dahl Administrator Fluvanna County P.O. Box 540 Palmyra, VA 22963

RECEIVED JUN 2 1 2023 Fluvanna County Administration

Re: James River Water Authority

Dear Eric:

Enclosed is our invoice for services rendered during May.

We greatly appreciate the opportunity to work with you. Please let me know if you have any questions.

Very truly yours,

Justin W. Curtis

Enclosure

cc: Brendan Hefty, Esq.



June 14, 2023

James River Water Authority P.O. Box 540 Palmyra, VA 22963

Attention: RE:	Eric Dahl General		Our File #: Inv #:	0293-001 15399	
DATE	WORK PERFORMED	HOURS	AMOUNT	LAWYER	
May-03-23	Coordinate rescheduling of meeting with Corps project manager; prepare agenda and talking points outline for meeting with the Corps and circulate the same to the team; review and revise draft information response letter to DEQ	2.30	954.50	JWC	
May-04-23	Virtual meeting with D. Saunders and M. Miller re response to DEQ information request and updates to Corps and DEQ permit application	0.80	332.00	JWC	
May-09-23	Virtual meeting with team re project status; teleconference with J. Hines and G. Krystyniak permitting and construction	1.00	415.00	JWC	
May-10-23	Prepare for and participate in Board meeting	0.50	207.50	JWC	
May-23-23	Participate in regular virtual meeting with team re project status; follow up calls with E. Dahl and G. Krystyniak re pending issues	0.80	332.00	JWC	
	Subtotal	5.40	\$2,241.00		
	TOTAL AMOUNT THIS PERIOD		\$2,2	41.00	
	Previous Balance		\$6,2	225.00	
	Previous Payments			\$0.00	
	BALANCE DUE NOW		\$8,46	6.00	
Payment Remit Address: Aqual aw PLC 6 South 5th Street, Richmond, Virginia 23219					

Payment Remit Address: AquaLaw PLC, 6 South 5th Street, Richmond, Virginia 23219 Thank you for choosing AQUALAW PLC. (Tax ID No. 45-0484029) Please call (804) 716-9021 ext. 224 with invoice questions. Payment is appreciated within 30 days.







GAI Consultants, Inc. 385 East Waterfront Drive Homestead, PA 15120-5005 T 412.476.2000 F 412.476.2020

June 29, 2023 Project No: Invoice No:

C190908.00 2190028

Eric Dahl James River Water Authority 132 Main St PO Box 540 Palmyra, VA 22963

Project	C190908.00	8.00 JRWA - cultural oversight - water supply project					
Planning & Coordinat	tion with Counc	il & subconsultant					
Professional Servi	ces Through	lune 17, 2023		_ ~			
Task	001	Consultation and Document Revie	w				
Professional Perso	onnel						
		Hour	s Rate	Amount			
E06 ; Cultural Re	esources Manag	gers					
Glenn, Jona	ithan	7.0	0 128.00	896.00			
	Totals	7.0	0	896.00			
	Total Labor				896.00		
			Total	this Task	\$896.00		
Billing Limits		Current	Prior	To-Date			
Total Billings		896.00	465,733.22	466,629.22			
Limit				535,987.59			
Remaining				69,358.37			
			Total th	is Invoice	\$896.00		

Invoice Date	06/21/2023
Due Date	07/01/2023
Contract Number	VA-JA-797A-24
Invoice Number	107357
Total Contribution	\$1,832.00
Amount Due	\$1,805.00

James River Water Authority 132 Main Street Palmyra , VA 22963





844-986-2705 1819 Electric Road, Suite C Roanoke , VA 24018

CONTRACT #	VA-JA-797A-24	EFFECTIVE DATE :	07/01/2023	EXPIRATION DATE:	07/01/2024
LINE OF COVER	RAGE			PAYMENT PLAN	AMOUNT
BUSINESS AUTO				Annual	\$150.00
CRIME				Annual	\$675.00
CYBER				Annual	Included
ENVIRONMENTA	ALLIABILITY			Annual	Included
GENERAL LIABI				Annual	\$457.00
PUBLIC OFFICIA				Annual	\$550.00
SECURITY RISK				Annual	Included
RATE CREDIT(PC				Annual	(\$27.00)
				Total Amount Du	e: \$1,805.00

A late charge of 1% per month (12% per annum) will be assessed for premiums received 30 days after the invoice due date shown above.

Please make checks payable to VAcorp and include invoice remittance form. If making payment by ACH, please email Accounting@riskprograms.com and include payment amount, date of payment, and applicable invoice number(s).

Please note hybrid-disability payments must be made separately. If making payment by ACH, hybrid payments must be transmitted to separate VAcorp account.

THANK YOU FOR YOUR CONTINUED SUPPORT!

PLEASE RETURN THIS PORTION WITH REMITTANCE					
Member James River Water Authority	Contract # VA-JA-797A-24	Invoice # 107357	Due Date 07/01/2023	Amount Due \$1,805.00	Enclosed
Remit to: VAcorp 1819 Electric Road, Suite C Roanoke, VA 24018					

APPLICATION AND CERTIFICATE FOR PAYMENT

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James River Water Authority (JRWA) 132 Main Street // PO Box 540 Palmyra, VA 22963 FROM CONTRACTOR: Faulconer Construction Company, Inc. 2496 Old Ivy Rd Charlottesville, VA 22906 PROJECT: James River Water Project PPEA SOUTH

VIA ARCHITECT: Timmons Group 680 Preston Avenue - Suite 200 Charlottesville, VA 22903

t PPEA P

APPLICATION #:	4	Distribu
PERIOD TO:	06/30/23	
PROJECT NOS:	9461	Ow
		Co
CONTRACT DATE:	11/03/22	Arc

istribution to: Owner Const. Mgr Architect Contractor

CONTRACT FOR: James River Water Project PPEA - Amendment- CO #4

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached.

1. ORIGINAL CONTRACT SUM		\$	968,910.00			
2. Net change by Change Orders	\$	\$	0.00			
3. CONTRACT SUM TO DATE (Line 1 +/- 2))	\$	968,910.00			
4. TOTAL COMPLETED & STORED TO DA	TE-\$		748,527.50			
(Column G on Continuation Sheet) 5. RETAINAGE:						
a. <u>0%</u> of Completed Work (Columns D+E on Continuation Sheet)	, \$		0.00			
b. <u>0%</u> of Stored Material (Column F on Continuation Sheet) Total Retainage (Line 5a + 5b or	\$		0.00			
Total in Column 1 of Continuation Sheet		\$ Г	0.00			
Total In Column Tor Continuation Sheet		ΨL	0.00			
6. TOTAL EARNED LESS RETAINAGE		\$	748,527.50			
(Line 4 less Line 5 Total) 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT						
(Line 6 from prior Certificate)		\$	724,375.00			
8. CURRENT PAYMENT DUE \$ 24,152.50						
9. BALANCE TO FINISH, INCLUDING RETAINAGE						
(Line 3 less Line 6)	\$		220,382.50			

NET CHANGES by Change Order	\$0	.00
TOTALS	\$0.00	\$0.00
Total approved this Month		
months by Owner		
Total changes approved in previous		
CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown therein is now due.

CONTRACTOR:	
By: here hard	Date:July 6, 2023
State of: VLPGINIA County of: ALBEMARLE	NOTARY
Subscribed and sworn to before me this <u>C6+b</u> day of <u>TULY</u>	2023 O REG. # 7645426 MY COMMISSION
Notary Public: Detsten Mich My Commission expires: 03/31/202	tor 03312027
CERTIFICATE FOR PAYMENT	"ALTH OF UNIN
In accordance with Contract Documents, based on on	

application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED	
(Attach explanation if amount certified differs from the application and on the Continuation Sheet that are ch	e amount applied for. Initial all figures on this nanged to conform to the amount certified.)
	1
By: Mr. V, Mu	Date: 7/6/2023

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner of Contractor under this Contract.

PAGE ONE OF 3 PAGES

CONTINUATION SHEET	Page 2 of 3 Pages
	APPLICATION NUMBER: 4
PROJECT:	APPLICATION DATE: 7/6/23
James River Water Project PPEA	PERIOD TO: 30-Jun-23
SOUTH	FCC PROJECT NO: 9461

A	В	С		D		E	F	G			Н		I	
ltem	Description of Work	Scheduled				Work Completed		Materials	Total %		Balance		Retainage	
No.		Value	F	rom Previous		This Period	Presently	Completed	(G/C)		Finish			
				Application			Stored	And Stored		(0	C - G)			
				(D + E)			(Not In	To Date						
							D or E)	(D + E + F)						
1	Administrative and due Diligence	\$ 171,700.0			\$	-		\$ 171,700.00	100%		-	\$	-	
2	VDH Preliminary Engineering Report	\$ 47,225.0			\$	-		\$ 47,225.00	100%	\$	-	\$	-	
3	Geotechnical Investigations	\$ 69,500.0) \$	69,500.00	\$	-		\$ 69,500.00	100%	\$	-	\$	-	
4	Topographic Survey; Aerial 1ft contours	\$ 41,325.0) \$	41,325.00	\$	-		\$ 41,325.00	100%	\$	-	\$	-	
5	Survey Property Lines along RWM route	\$ 41,325.0)\$	41,325.00	\$	-		\$ 41,325.00	100%	\$	-	\$	-	
6	CSX Rail Permit	\$ 17,710.0) \$	14,700.00	\$	-		\$ 14,700.00	83%	\$	3,010	\$	-	
7	Preliminary Eng. for Intake, PS & Pipeline	\$ 338,600.0)\$	338,600.00	\$	-		\$ 338,600.00	100%	\$	-	\$	-	
8	Property Acquisition Services w/plats	\$ 241,525.0) \$	-	\$	24,152.50		\$ 24,152.50	10%	\$	217,373	\$	-	
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	SUBTOTALS PAGE 2	\$ 968,910.0)\$	724,375	\$	24,152.50	\$-	\$ 748,528	77%		220,383	\$	-	

CONTINUATION SHEET	Page 3 of 3 P	ages
ATTACHMENT TO PAY APPLICATION	APPLICATION NUMBER:	4
PROJECT:	APPLICATION DATE:	07/06/23
James River Water Project PPEA	PERIOD TO:	30-Jun-23
SOUTH	FCC PROJECT NO:	9461

Α	В	C	D	E	F	G		Н	
ltem	Description of Work	Scheduled		ompleted	Materials	Total	%	Balance	Retainage
No.		Value	From Previous	This Period	Presently	Completed	(G/C)	To Finish	
			Application		Stored	And Stored		(C - G)	
			(D + E)		(Not In	To Date			
					D or E)	(D + E + F)			
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	SUBTOTALS PAGE 3	\$ -	\$ -	\$-	\$-	\$ -		\$ -	\$ -
The rest of the local division of the local	APPLICATION TOTALS	\$ 968,910.00	\$ 724,375.00	\$ 24,152.50	\$ -	\$748,527.50	77%		\$-





Faulconer Construction

Property Acquisition Services

1. Held multiple meetings with Fluvanna County and the JRWA to organize and begin the ROW acquisition process.

Proposal Development and Revised Comprehensive Agreement Negotiations

- 1. Held multiple meetings on the preliminary SOV
- 2. Developed clarifications on SOV line items
- 3. Continued with ongoing negotiation of SOV.
- 4. Began development of SOV opportunities presentation

<u>KDR</u>

Property Acquisition Services

- 1. Participated in numerous organizational meetings with FCC, Fluvanna County and the JRWA
- 2. Developed and began submitted bi-weekly tracking reports
- 3. Began title research ongoing
- 4. Developed budget offer calculation sheet for use in determining minimum offer amount
- 5. Reviewed and provided edits to first set of plats

Timmons Group

Property Acquisition Services

1. Began development of first set of plats

Proposal Development and Revised Comprehensive Agreement Negotiations

- 1. Participated in meetings to review preliminary SOV
- 2. Assisted in development of clarifications on SOV line items
- 3. Assisted with ongoing negotiation of SOV
- 4. Assisted in the development of SOV opportunities presentation







JAMES RIVER WATER AUTHORITY AGENDA ITEM

Meeting Date: July 12, 2023

AGENDA TITLE:	James River W	ater Auth	ority C	Capital Budget	Carryo	ver			
MOTION(s):	I move the Jan unexpended F \$5,597,103.90 Project Budge	Y22 JRW and reap	A Capit	al Project Bud	dget in	the amount			
AGENDA CATEGORY:	Public Hearing	Action N	latter	Presentation		Consent Agenda	Other		
		х							
CONTACT(S):	Eric Dahl, Fluv	anna Cou	nty Ad	lministrator					
PRESENTER(S):	Eric Dahl, Fluv	anna Cou	nty Ad	lministrator					
RECOMMENDATION:	Approve								
TIMING:	Effective July 1	, 2022							
DISCUSSION:			carry- r the b Be	over the budget, as t enefit of James River FY22		•			
	Design / Build Construction	\$	5,389,699.75		0.00	\$5,389,699.75			
	Professional S		10,000.00		4,500.00	5,500.00			
	Permitting		350,000.00		242,254.22	107,745.78			
	Consulting		350,000.00		256,252.00	93,748.00			
	Postal Services		1,000.00			589.63	410.37		
	Contingency			0.00		0.00	0.00		
	TOTALS			6,100,699.75		503,595.85	\$5,597,103.90		
FISCAL IMPACT:	None, as the d carry-over the	-			-	-	. This action will		
POLICY IMPACT:	N/A								
LEGISLATIVE HISTORY:	N/A								
ENCLOSURES:	None								
REVIEWS	Legal	Finan	ce	Purchasir	ng	HR	Other		
COMPLETED:		х							



1001 Boulders Parkway Suite 300 Richmond, VA 23225 P 804.200.6500 F 804.560.1016 www.timmons.com

July 7, 2023

Mr. Eric Dahl, County Administrator James River Water Authority Fluvanna County Office Building 132 Main Street, PO Box 540 Palmyra, VA 22963

RE: James River Water Authority – Water Withdrawal Permit Modification: Progress Report & Re-Allocation Request

Mr. Dahl,

Attached is an update on the professional services by Timmons Group for the JRWA Water Withdrawal Permit modification and a re-allocation request.

Following is a summary of the work completed associated with the above referenced invoices:

Pre-Application Submittal Tasks

Task 1 – Survey Services (Time & Materials)

• Complete

Task 2 – Survey of Wetland Flagging (Time & Materials)

• Complete

Task 3 – Environmental Services (Time & Materials)

• Complete

Task 4 – JPA Preparation (Time & Materials)

• Complete

Post-Application Submittal Tasks

Task 5 – Review & Response Period (Time & Materials)

• Since the JRWA's August 2022 JPA submission, the Interim Agreement phase of the project has been completed which resulted in a refinement of the design drawings and minor shifts in the project's limits of disturbance. Therefore, updated design drawings, stream and wetland impact maps, compensatory mitigation credits table, USM scores, and letter of credit availability were provided to DEQ. As discussed during the April 27, 2023 call with DEQ, Timmons Group, and AquaLaw in attendance, it was agreed upon that the updated items should be provided before issuance of the draft permit.



Task 6 – Additional Environmental Services (Time & Materials)

• Timmons Group updated the stream and wetland impact maps as discussed under Task 5, above.

Task	Approved Project Budget	Amount Invoiced (this Invoice)	Amount Invoiced Previously	Remaining Fee
Task 1 – Survey Services	\$15,000.00	\$0.00	\$14,647.50	\$352.50
Task 2 – Survey of Wetland Flagging	\$15,000.00	\$0.00	\$10,102.50	\$4,897.50
Task 3 – Environmental Services	\$40,000.00	\$0.00	\$28,301.25	\$11,698.75
Task 4 – JPA Preparation	\$75,000.00	\$0.00	\$61,458.75	\$13,541.25
Task 5 – Review & Response Period	\$32,402.50	\$16.25	\$32,386.25	\$0.00
Task 6 – Additional Environmental Services	\$65,000.00	\$2,270.00	\$21,036.50	\$41,693.50
Total to Date	\$242,402.50	\$2,286.25	\$167,932.75	\$72,183.50

A summary of the fee invoiced relative to the approved project budget to date is presented:

Due to substantial activity that occurred in May and June to respond to DEQ's request and provide updated information for the application, the T&M budget for Task 5, Review and Response Period has been met and exceeded. There is available budget in several other tasks, including Task 4 Joint Permit Application Preparation, Task 3 Environmental Services, and Task 6 Additional Environmental Services. **\$12,893.75 remains to be billed for work performed under Task 5.**

The draft surface water withdrawal permit was received on June 29, 2023. Additional work will be required for review of the draft permit and coordination with DEQ. Additional coordination is required with USACE to obtain a permit. Therefore, moving forward, it is respectfully requested to reallocate fees in accordance with the following table.

Task	Approved Project Budget	Project Budget After Proposed Reallocation	Net Change
Task 1 – Survey Services	\$15,000.00	\$15,000.00	\$0.00
Task 2 – Survey of Wetland Flagging	\$15,000.00	\$11,000.00	\$(4,000.00)
Task 3 – Environmental Services	\$40,000.00	\$40,000.00	\$0.00
Task 4 – JPA Preparation	\$75,000.00	\$62,000.00	\$(13,000.00)
Task 5 – Review & Response Period	\$32,402.50	\$59,402.50	\$27,000.00
Task 6 – Additional Environmental Services	\$65,000.00	\$55,000.00	\$(10,000.00)
Total to Date	\$242,402.50	\$242,402.50	\$0.00



Thank you for the opportunity to be of continued service to JRWA on this important project. Please feel free to contact us with any questions regarding this invoice or our team's services.

Respectfully submitted,

Joyetto

Joseph C. Hines, PE, MBA Senior Principal

Aurdus

David J. Saunders, PE, DBIA Senior Principal

Matt Millu

Matt Miller, PE, M Eng Senior Project Manager