

PROTEST

# 18-0343

Howell, Beth (MRC)

**From:** Marsala, Sarah (DEQ)  
**Sent:** Tuesday, October 07, 2014 9:14 AM  
**To:** 'HARDY, FRED, COL'  
**Cc:** Kudlas, Scott (DEQ)  
**Subject:** RE: JAMES RIVER WATER SUPPLY PROJECT



Mr. Hardy,

The Virginia Department of Environmental Quality (DEQ) has considered your concerns and questions posed in your below email regarding the proposed James River Water Supply Project (Joint Permit Application No. 14-0343). We offer the following response.

In accordance with Chapter 3.1, Section 62.1-44.15:4.D. of the Code of Virginia, notification letters are to be sent to riparian and adjacent landowners located within one-half mile downstream of or adjacent to a proposed surface water (such as wetland, streams, open water) impact area associated with the proposed project. The extent of the project being reviewed under this application is the intake and portion of the waterline that extends from the intake on the James River to Route 6. The specific project limits are noted on the map provided with our notification letter dated September 24, 2014. All riparian landowners located within one-half mile and/or landowners adjacent to a proposed surface water impact area were sent notification letters. Notification letters were also sent to the Town of Columbia and the Counties of Cumberland, Fluvanna and Goochland.

As part of our review of the proposed project, we will evaluate the intake at the proposed location and its potential effect on existing beneficial uses, such as recreation and aquatic resources, by conducting a cumulative impact analysis. DEQ may draft a Virginia Water Protection (VWP) individual permit if, upon completion of our review, we find that the proposed project will have a minimal adverse affect on existing beneficial uses. Any draft VWP individual permit is required to have a 30 day public comment period as explained in our notification letter. If no comments are received during the 30 day comment period, then DEQ proceeds with issuing the VWP permit. If comments are received, DEQ will review those comments and decide if revisions to the draft permit are warranted or if a public hearing should be held. Once the permit is issued, the permittee has authorization from DEQ to proceed with the activities that are under the jurisdiction of the VWP permit. Please note that the permittee may still need to obtain authorization(s) from other local, state and/or federal agencies before initiating activities.

The potential affect the project may have on historic resources or noise levels are not within the DEQ's purview. The U.S. Army Corps of Engineers (USACE) does have oversight over historic resources and the USACE office reviewing this project can be reached at the following number: 804-323-3780. Regarding concerns of noise pollution, we understand this concern has been brought before the officials of the Counties of Fluvanna and Louisa. We recommend contacting these Counties' officials to inquire as to the measures proposed to address your concern.

Thank you for your inquiries. Should you have further questions or concerns, I can be reached at the below contact information.

Respectfully,

Sarah K. Marsala

Surface Water Withdrawal Project Manager  
Office of Water Supply  
VA Dept. of Environmental Quality  
13901 Crown Court, Woodbridge, VA 22193  
703-583-3898 (direct)  
703-583-3821 (fax)  
[sarah.marsala@deq.virginia.gov](mailto:sarah.marsala@deq.virginia.gov)  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

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**From:** HARDY, FRED, COL [<mailto:HARDYF@fuma.org>]  
**Sent:** Monday, September 29, 2014 2:16 PM  
**To:** Marsala, Sarah (DEQ)

**Cc:** Ward, Molly (GOV); Paylor, David (DEQ); [fhardy@farmandestate.com](mailto:fhardy@farmandestate.com); Clay James Summers  
**Subject:** JAMES RIVER WATER SUPPLY PROJECT

Ms. Marsala:

I received your notice from DEQ; here are my concerns and questions.

- Did citizens whose property or other interests along the proposed rout of the pipeline receive this notice?
- What impact would this project and its noise pollution have on the quality of life in the affected areas of Columbia as well as Cumberland and Goochland counties? It would seem to me that the location of the original permit (Bremo with its existing power plant) would make more sense. Columbia, with its rural setting, historic canals and Point of Fork Arsenal, as well as its canoeing/fishing opportunities would be much more adversely affected.
- If the DEQ prepares a draft of the permit, what is the likelihood that a permit will be issued after the 30-day period for citizens to weigh in? I would assume that once the permit is issued there would be a virtual certainty that the county will then proceed. Correct?

I would appreciate your response to these concerns.

Sincerely,

Fred Hardy, Columbia, VA