

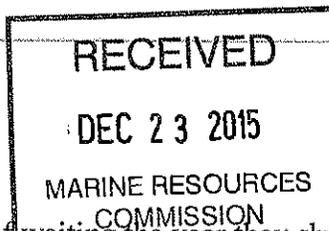
Atkins, Lou (MRC)

From: Owen, Randy (MRC)
Sent: Wednesday, December 23, 2015 11:10 AM
To: MRC - jpa Permits
Subject: FW: FW: RE: James River Water Authority VMRC 14-0343

PROTEST

Protest 14-0343

From: Pete G [mailto:minutemanpropertypreservation@gmail.com]
Sent: Wednesday, December 23, 2015 10:57 AM
To: Owen, Randy (MRC)
Subject: Re: FW: RE: James River Water Authority VMRC 14-0343



They have voted to have another public hearing in January instead of ~~waiting the year they should~~. Also Louisa is voting on the SUP's independently presumably thinking they can force it regardless of what Fluvanna does.

I see this is a huge environmental, historic, and constitutional issue. We are going to need lots of help to fight this big government fiasco.

I am resigned to the fact that this will probably cost me my life. Something has to be done. If I have to go out there and stand in front of the bulldozers I will. My Country is falling apart before my eyes. The patriots have to stand up and fight it.

As you know corporatism and socialism is all the same thing in the end. It all amounts to a totalitarianist regime.

We very much still do need help and lots of it.

On Wed, Nov 25, 2015 at 8:27 AM, Owen, Randy (MRC) <Randy.Owen@mrc.virginia.gov> wrote:

2nd attempt

From: Owen, Randy (MRC)
Sent: Wednesday, November 25, 2015 7:07 AM
To: 'minutemanproxypreservation@gmail.com'
Subject: FW: RE:

Good morning Mr. Gil,

I received your voicemail yesterday afternoon, however, was in the field in Chesapeake all that day. I am off for Thanksgiving, but will give you a call later this morning. Below, for your consideration, is an explanation of the

regulatory role of DEQ and VMRC as I attempted to explain to Mr. Hardy's associate. I thought this would help our telephone conversation.

From: Owen, Randy (MRC) [<mailto:randy.owen@mrc.virginia.gov>]
Sent: Thursday, June 25, 2015 8:11 AM
To: Beth Powell
Subject: RE:

PROTEST

Hi Beth,

We discussed recently both the limits of VMRC's jurisdiction and what I know of the status of DEQ's review of this project. Their permitting agent asked me to postpone our onsite visit, which has been moved to July at the earliest. DEQ is apparently hoping to public notice their draft permit for this project in July as well. I believe they have a 30 day comment period.

Regarding jurisdiction, DEQ is charged with reviewing the project's impact on water quantity and quality, whereas VMRC is charged with reviewing the physical placement of the intake on the State-owned submerged lands within the river. As such, VMRC typically will not consider the matter until DEQ has permitted whatever is deemed to meet the State's water quality standards and their program. That obviously includes what withdrawal quantity per day is acceptable. Their review relies heavily, as does ours, on the comments provided by the Department of Game and Inland Fisheries. Their biological and fisheries expertise in our fresh water streams is routinely considered by both agencies as advisory comments to our regulatory programs. It is my understanding, from speaking with DEQ, that the project now meets the DGIF recommendations necessary to protect the aquatic species in the project's vicinity.

Regarding VMRC's jurisdiction, pursuant to Section 28.2-1200 et seq of the Virginia Code, the project requires our permit to encroach onto the submerged lands of the James River. Everything channelward of ordinary high water is jurisdictional; everything landward is on private lands and outside of our authority. As such, we only have jurisdiction over the intake. The location of the pump house, entrance road, landscaping (any work on or above the bank), etc. is outside of our permitting review. I have been advised by the engineer of record that the intake will be in a deeper section of the James and that even the warning buoy will be submerged during normal flow. It is designed to pop out, warning of an underwater obstruction, during low flows. As such, there will be essentially no view of the intake during normal flow as it will be completely submerged.

We will not likely consider their request for a permit until DEQ has issued its permit. I hope this adequately summarizes our telephone conversation. Feel free to share my comments with anyone who is interested in our permitting role for this project. I am easiest to reach at my email address randy.owen@mrc.virginia.gov but can also be reached at (757) 247-2251. Thank you.

From: Beth Powell [<mailto:bpowell@frankhardy.com>]
Sent: Tuesday, June 23, 2015 11:54 AM
To: Owen, Randy (MRC)
Subject:

PROTEST

Good Afternoon Mr. Owen.

Thank you for your time on the phone. Could you please provide me with a synopsis of our conversation?

Thanks,
Beth Powell

Lic. Asst. to Frank Hardy