

Howell, Beth (MRC)

**From:** Owen, Randy (MRC)  
**Sent:** Monday, May 02, 2016 5:59 PM  
**To:** MRC - jpa Permits  
**Subject:** FW: Point of Fork at the point where the James and Rivanna Rivers meet: Section 106 Review information and a call for help!  
**Attachments:** Section 106 compliance.odt; Section 106 Compliance complaint 2.odt; Section 106 Compliance complaint 3.odt; Section 106 call to arms Join me in our fight against predatory county government..odt; Section 106 Compliance addendum The sorted history of the JRWA LCWA draft.odt

**PROTEST**

RECEIVED

MAY 02 2016

MARINE RESOURCES  
COMMISSION

14-0343 protest

**From:** Pete G [mailto:minutemanpropertypreservation@gmail.com]

**Sent:** Monday, May 02, 2016 5:56 PM

**To:** [achp@achp.gov](mailto:achp@achp.gov); [athompson@achp.gov](mailto:athompson@achp.gov); Atkins, Lou (MRC); Ben Hoffmier; [bford@rivarch.com](mailto:bford@rivarch.com); [blusher@achp.gov](mailto:blusher@achp.gov); [bsemmer@achp.gov](mailto:bsemmer@achp.gov); [bwest@pecva.org](mailto:bwest@pecva.org); Carolyn ley; [cdaniel@achp.gov](mailto:cdaniel@achp.gov); [cmiller@pecva.org](mailto:cmiller@pecva.org); [cvaughn@achp.gov](mailto:cvaughn@achp.gov); [delegaterobbell@embarqmail.com](mailto:delegaterobbell@embarqmail.com); [dholmes@pecva.org](mailto:dholmes@pecva.org); [dnorris@pecva.org](mailto:dnorris@pecva.org); [dnull@achp.gov](mailto:dnull@achp.gov); Eaton, Ethel (DHR); [ekostelny@preservationvirginia.org](mailto:ekostelny@preservationvirginia.org); [ethel.eaton@dhrvirginia.gov](mailto:ethel.eaton@dhrvirginia.gov); Geo ForkUnionVA; LaBudde, Gregory (DHR); Jeff Werner; [jfowler@achp.gov](mailto:jfowler@achp.gov); [jmarques@achp.gov](mailto:jmarques@achp.gov); [jpalmer@pecva.org](mailto:jpalmer@pecva.org); [jrodenstein@achp.gov](mailto:jrodenstein@achp.gov); Justin Sarafin; Fowler, Keith (DEQ); [kfanizzo@achp.gov](mailto:kfanizzo@achp.gov); [kharris@achp.gov](mailto:kharris@achp.gov); [kkendall@pecva.org](mailto:kkendall@pecva.org); [kkerr@achp.gov](mailto:kkerr@achp.gov); [kkulis@achp.gov](mailto:kkulis@achp.gov); Link, Matthew (DEQ); [ljohnson@achp.gov](mailto:ljohnson@achp.gov); Matthew Henjum; [nbrown@achp.gov](mailto:nbrown@achp.gov); [ngabriel@achp.gov](mailto:ngabriel@achp.gov); Owen, Randy (MRC); [owilliams@achp.gov](mailto:owilliams@achp.gov); Pat Calvert; [pec@pecva.org](mailto:pec@pecva.org); [ranzalone@achp.gov](mailto:ranzalone@achp.gov); [regena.d.bronson@usace.army.mil](mailto:regena.d.bronson@usace.army.mil); [rgould@achp.gov](mailto:rgould@achp.gov); [rlinville@pecva.org](mailto:rlinville@pecva.org); [rnelson@achp.gov](mailto:rnelson@achp.gov); SAS Michael Madison; [steven.a.vanderploeg@usace.army.mil](mailto:steven.a.vanderploeg@usace.army.mil); [tmcculloch@achp.gov](mailto:tmcculloch@achp.gov); [vhauser@achp.gov](mailto:vhauser@achp.gov); Waldo and Lyle, P.C. - Virginia Eminent Domain and Property Rights Lawyers - Norfolk, VA; [wdancingfeather@achp.gov](mailto:wdancingfeather@achp.gov); [wwinston@glenarvon.com](mailto:wwinston@glenarvon.com)

**Subject:** Point of Fork at the point where the James and Rivanna Rivers meet: Section 106 Review information and a call for help!

This is all precious green space. Although the whole project is a spend then tax land grab plotted out by a greedy few which have been overwhelming opposed by the people over a number of years, there is a riparian land owner a few miles down who has clear cut their place and reportedly is willing to sell. Why are they so intent on condemning A1 agricultural to Industrial right of way taking green space from people who are committed to maintaining green space?

The entire Point of Fork is a fragile ecosystem. Please view Columbia, Virginia 23038 and note the point where the James and the Rivanna Rivers meet. This point has eroded quite a bit during my lifetime.

Despite their spin to the contrary there is no way they can install the intake without dynamiting a huge slab of Precambrian Shist rock as the river isn't any where near as deep as the plans show the intake being placed.

I have walked from the proposed site down to the point in the river just off shore. It is one massive rock which is at least the topographical surface area of several football fields. If they are allowed to proceed and dynamite this rock I believe the entire point will be put at risk.

They have proven in the past they do not know what they are doing as there is currently a huge tank left out in the middle of the James from a previously built pumping station at Bremo Bluff Va. Rather than attempt to get this giant tank out of the water they now want to build another station and siphon more tax payer's dollars into a project which has no apparent gain for our county except for the acquisition of 4 fire hydrants.

The installation of the intake, pumping station, pipes and utilities will do irreparable harm to the green space the view shed and the land. The county government has been very deceitful and manipulative over the whole thing for years. Frankly we don't know exactly what to expect from these lunatics.

The log cabin is located only a few feet from the access road. It is our contention among others that the construction traffic may cause this structure to fall from its rock tiered piers. Additionally, among the many changes the county has made from the initial public notice they are now apparently planning to run the potential future tie in for Fork Union down this access road. This is another violation of the public notices, town meeting and public hearings as the future tie in was supposed to be on route 6 after the pipeline crossed the river.

We have been targeted as lower income people and it is my feeling they are being vindictive because we opposed it so vigorously that we, in fact, won on December 2, 2015.....Until they cheated once again and ramrodded it through.

## Section 106 Compliance:

(The entire Point of Fork Plantation is listed on the State and National Registers of Historic Places. The impacts to the site as a whole must be evaluated—buildings, lands, etc., all of it. One of Washington's trails passed through here for crying out loud. Every tree, in addition to being precious green space and erosion control, could be a historical marker. There could be a musket ball lodged in it, perhaps an animal tether or a fence line or some other artifact nearby. It could bear George Washington's personal 3 chops. The old timers pointed out a tree to me right here on this farm that was a great landmark in the old trail.

The construction of the colonial pipeline unearthed 22 bone fragments from the Woodland period. See Virginia Department of Historical Resources Archaeological Site Record 44FV0021.

L Daniel Mouer, PhD informed the Fluvanna and Louisa's County Administrators and Board of Supervisors: “I feel it is highly likely that the proposed water treatment and pumping facilities and associated pipe lines could impact critical archaeological remains if construction takes place anywhere on the flood plain on or just below Point of Fork. I encourage you to consider such impacts early in the planning process and with a realistic understanding how they could eventually affect the timing, the cost, and even the viability of the James River Water Project.”

### Complaint 1: Regarding the proposed James River Water Project:

Potential Catastrophic destruction of the entire low ground.

The entire ecosystem and the history along with it will be swept away as the construction will put erosion into overdrive. In my lifetime I have watched the physical point recede. The old timers say when they were coming up you could just about cast off and hit the bridge. The point has receded a great deal. This construction would be the death blow. They want to come to the lowest point in the county (water runs downhill) and start blasting. Not only do they want to give Fluvanna away to Louisa they just want to flat out destroy our Fluvanna. Fluvanna county is named for the Fluvus Anna, the river Anna. They even want to give the river away to Louisa. Who are they? They are outsiders that don't belong here.

It is our contention, among others, that dynamiting the massive precambrian Schist rock at the bottom of the James River at will potentially split the physical point where the James and Rivanna meet from the larger peninsula as a whole and result in the catastrophic destruction of the entire landmass.

While the county administrator has indicated at the town meetings and on the website, ***“Field conditions will dictate the necessity for blasting any area of the project, but no blasting is planned at this time,”*** also, ***“A hole is not being proposed. A portion of the river bottom will be excavated and an intake structure will sit above the bottom of the river approximately a foot and a half in height,”*** A simple look at the plans will identify the the hole and most of the channel where the intake goes is deeper than the depth of the river and would necessitate cracking into the river bottom.

It is our contention among others that destroying this massive rock surface in construction of the intake, pumping station and pipeline could result in the complete and catastrophic destruction of the entire low grounds. *The entire 255 acre farm is on the national register.* **Eminent domain considered on this land must be considered as destructive of the low land portion of the farm as well as extremely detrimental to the Intrinsic value of the farm as a whole. View shed for historical occasions such as the yearly Bateau Festival, Revolutionary War re-enactments and Columbia day would be adversely affected. Countless artifacts of history, natural beauty and precious green space would be lost.**

Why does the county waste time zoning if on a whim another county can just say, “vote this way or get sued.” It is gangster tactics with no winner. Let us country folk who value the green space and want to be good Stuarts of the earth do so. We all need the fresh air to breath.

The bank of the river where they want to put this monstrosity is around 200' above sea level. The river level on average is about 8-10' below the bank. When the river is around this level it can be walked across to the rocks out in the middle as I have done many a summer for many years. The bottom of the river is rock and it is about 5' deep. They want to put a hole down 25' or more in a river five-foot deep river with a rock bottom. Sounds like dynamiting to me.....

Have any of these politicians or bureaucrats actually seen the river. Most of them are outsiders who know nothing about our county. Who would hire outsiders to run our county? Why are they doing this to us?

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Constitutionally we are at a crossroads in this country and in this county.

A few people from another county are attempting to control the government of the county in which I live. The extent to which they seem to be continuing to get away with doing so against overwhelming opposition is astounding.

No taxation without representation!  
Give me liberty or give me death!  
Don't tread on me!  
Sound familiar...

The county government is largely composed of dead weight. People making high salaries in positions that didn't even exist just a few short years ago. Indeed we have a county in which the government is the largest employer. Just a few short years ago we had zero (0) debt and a small government. Now we have a large government that is largely composed of outsiders who know nothing about our county. Debt has spiraled out of control to over \$100,000,000. They want to keep spending money and raising taxes. Enough is enough!

In their attempt at a line by line dismissal of our "SAVE POINT OF FORK," flyers and notices the county postings on James River Water Project FAQs—Oct 26, 2015 made it crystal clear to me that:

- A) They have clearly never seen the area of the James River they are trying to destroy because they apparently have no clue that it is a shallow, rock-bottomed river.
- B) They clearly haven't bothered to read a set of plans for the monstrosity they are publicly promoting because then they would clearly see how much deeper the proposed hole is than the rock-bottomed river bed.
- C) Of course, I guess they could just be lying...?

Section 106 review compliance  
Complaint 2:

## PROTEST

It is our contention among others that construction traffic itself as well as construction of the pipeline itself and the dynamiting that would take place for the intake on the James would adversely affect the log cabin on the farm. The log cabin is very old and well preserved slave quarters that is currently being studied by Mary Washington College. This cabin is placed on rock tiers rather than a foundation. This structure is directly beside and above the access road. Another change they are trying to make at the last minute regarding the proposed project is to run the potential future tie in up this narrow road. All along until the last meeting where they re-voted on what we had already defeated the future stub and potential future tie in were to be located on route 6. We feel they threw in this new plan as a punitive measure because we won. Until they cheated...yet again. The road is a narrow one-lane dirt access road. As the only road to the low grounds it is likely that the massive trucks and machines required to build this planned monstrosity would vibrate the log cabin right off its piers.

# PROTEST

Section 106 compliance: Complaint #3

Desecration of a burial sites, war battle grounds and encampments, Indian villages both from the Monacan Indians and earlier woodland period Indians. See the Virginia Department of Historical Resources Archaeological Site Record 44FV0021 which documents the finding of 22 human bones from the Woodland period house/hamlet ca. 1,200-1,600 L. Daniel Mouer, PH.D. See also The Bulletin of the Fluvanna County Historical Society Number 39 April 1985. Also The Bulletin of the Fluvanna County Historical Society numbers: 10&11, 13&14, 18, 19, 20, 28, 31, 32, 33, 34, 35, 38, 39, 52 and 1<sup>st</sup> Annual Point of Fork Days issue dated June 9-10, 2001.

From colonial times, revolutionary times, civil war times to the present the point has been an important strategic location. Why are these people, who are supposed to work for us, attempting to seize it from us now. With all the people who want to develop why are they targeting us country people who are Stuarts of the trees and the history. This land is irreplaceable. The intrinsic value is infinite. The land is not for sale at any price.

# PROTEST

Join me in our fight against predatory county government.

The government does not have the right to subvert the people, much less attempt to rule over them in a corrupt and dishonest fashion. The amount of money they spent and all the people they hired, and how they conspired to fix this thing up while quieting all opposition. They are using corporate sabotage techniques under the guise of being government to divide and conquer overwhelming public discontent with the project.

Apparently, anyone who calls themselves a governmental agency has the power with the flick of a pin to do what they will.

What's next?

Is the federal government going to give us all away to China?

We need to stop this insanity.

We need to work on getting the Country back on track one neighborhood at a time.

No taxation without representation.

Demand that the James River Water Authority and LCWA be dissolved. Demand the lawyers be fired. Thin out this top-heavy, tail wagging the dog, county administrator style of government. There are over 200 people, many of whom make way too much money occupying a useless position.

Not only are their excessive salaries and benefits leaches on the taxpayer. They are the ones who cooked up this crazy scheme without even asking anyone how they felt about it. Now these same people convinced our county government under duress of lawsuit that we were in danger of being sued?

Let's get these outsiders out of the steering room and get our county back.

Dissolve the JRWA and it is done.

Three people from either board resign and it is done.

Not only do they siphon off money from the public trust with their high salaries and benefits they are the ones proposing that we just surrender the county over to development. Don't allow them to take the rural soul of this county so Louisa county officials can get their wish and start developing their exit ramps from Ferncliff back towards Richmond.

This is a want verses need argument for the courts to hear out. Join us in the fight.

The citizens shouldn't have to pay for this fight that we are against from the start.

These pseudo-governmental agencies are using the power of the government for their own private gain.

Can we get the white collar division of the FBI to look into this at the very least?

Where is the federal government when you need them? The federal government's job is to protect us.

Why is a branch of my little local government trying to do this to ordinary country people going about their own business? They are as out of touch with the people as all their runaway spending and debt is.

All we need to do is force the JRWA to disband. At that point the "contract" is dissolved.

Please join us in this historic fight for all our rights as Americans.

Section 106 Compliance addendum: The sorted history of the JRWA/LCWA:

**PROTEST**

What right do county politicians have to conspire with politicians from a neighboring county in order to plot to seize assets of Fluvanna County and the Citizens of Fluvanna County? Do Fluvanna county landowners owe their taxes to Lousia County if they eminent domain the easements? This strikes me as another point that would need clarification from the courts.

What right to do county politicians have to conspire with other politicians from the next county in order to plot to seize the real property of Fluvanna County citizens?