



## COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY  
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### **MEMORANDUM**

DATE: September 5, 2012

TO: Kimberly Bose, Secretary

FROM: Brian McGurk, Environmental Program Planner

SUBJECT: DOCKET NO. P-14425, PRELIMINARY PERMIT APPLICATION BY LIBERTY UNIVERSITY, INC FOR THE SCOTT'S MILL HYDROPOWER PROJECT

The Office of Water Supply within the Virginia Department of Environmental Quality (DEQ) has the following comments regarding this application:

- The project will require a Virginia Water Protection (VWP) permit to be issued by the DEQ prior to commencement. The VWP permit should be applied for and approved via the Joint Permit Application Process with the US Army Corps of Engineers and the Virginia Marine Resources Commission (VMRC) prior to completion of the FERC licensing process. The VWP permit program regulation can be found in 9VAC25-210 et seq.
- The Study Plan described in Exhibit 2a should include the following:
  - A detailed analysis of the effects of hydropower operations at the upstream Reusens facility upon water levels at the Scott's Mill dam using all stream flow and/or level data available from the US Geological Survey (USGS), Appalachian Power Company, or other sources.
  - Coordination with the following state agencies with respect to environmental assessment:
    - Department of Game and Inland Fisheries (DGIF) regarding potential impacts to stream biota.
    - DEQ Office of Water Supply (OWS) regarding potential impacts to both in-stream and off-stream beneficial uses. The OWS is currently working on a cumulative assessment of the James River basin to evaluate the potential impacts of all major stream diversions upon both in-stream and off-stream beneficial uses.

For questions regarding these comments or further information, you can contact me at the following:

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