



Water Resources

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Re: Scott's Mill Hydropower Project (FERC No. 14425)
December 2, 2015 Joint Meeting

I am writing on behalf of the City of Lynchburg, Water Resources, to address questions concerning information presented at the Joint Meeting on December 2, 2015. While the City may have additional questions as the plans for the Scott's Mill Hydropower Project (FERC No. 14425) ("Project") progresses, we did want to raise two fundamental questions early to provide an opportunity for further discussion and consideration of the needs of the City of Lynchburg. The most apparent issues for Water Resources, arising from the joint meeting, concern existing rights and obligations related to the dam and protection of the water and wastewater infrastructure of the City of Lynchburg.

1. **Subject:** Flashboards/ pond level – "LU is considering using flashboards at the dam and possibly raising the height of the headpond up to 3 feet. If this is done, the project would operate in coordination with the upstream Reusens Project, which could then be operated in somewhat of a peaking mode."

Question: Has the impact to raw water withdrawals and pond level to surrounding City infrastructure been considered? The City utilizes the river for raw water withdrawals and the surrounding area contains public water and wastewater infrastructure (including a major wastewater interceptor and combined sewer overflow ("CSO") structures) that may be impacted.

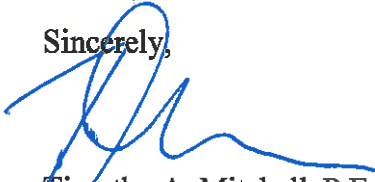
2. **Subject:** Maintenance of the Dam and Cost – "Pat Calvert, James River Association, said he envisioned that there would be adverse impacts to the dam and asked if there would be a mitigation plan. Wayne replied that no one from the Virginia Department of Historic Resources (DHR) was able to attend today's meeting, but LU plans to work closely with DHR to address potential impacts. LU would develop a Historic Properties

Management Plan. Wayne also noted that parts of the dam are crumbling and the dam owner is working with DHR and the U.S. Army Corps of Engineers to address maintenance issues.”

Question: What has been done to consider existing rights and obligations between the City and other parties relating, in part, to the City's right to withdraw water from the James River and the construction and maintenance of the dam across the James River (the Scotts Mill Dam)? Maintenance of the Scotts Mill Dam is the subject of various agreements and amendments to those agreements. The City has an interest in the protection of its rights and the management of its obligations under agreements related to the dam and the water resources in the James River.

Thank you for the opportunity to review the draft joint meeting notes. We look forward to continued discussion concerning the Project. Please refer responses to
timothy.mitchell@lynchburgva.gov

Sincerely,



Timothy A. Mitchell, P.E.
Director

cc: L. Kimball Payne, III, City Manager
Walter Erwin, City Attorney
Department File