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**RWSA BOARD OF DIRECTORS
Minutes of Special Emergency Meeting
October 5, 2017**

A special emergency meeting of the Rivanna Water & Sewer Authority (RWSA) Board of Directors was called by the Chair and held on Thursday, October 5, 2017 at 12:00 p.m. in the 2nd floor conference room, Administration Building, 695 Moores Creek Lane, Charlottesville, Virginia.

Board Members Present: Mr. Mike Gaffney – Chair, presiding; Ms. Kathy Galvin; Ms. Lauren Hildebrand; Mr. Maurice Jones; Mr. Gary O’Connell; Dr. Liz Palmer; and Mr. Doug Walker.

Board Members Absent: None

Staff Present: Mr. Bill Mawyer, Mr. Doug March, Ms. Miranda Baird, Ms. Jennifer Whitaker, Ms. Betsy Nemeth, Ms. Andrea Terry, Dr. Richard Gullick, Ms. Cindy Polaro, and Mr. Jay Young.

Also Present: Mr. Kurt Krueger, RWSA counsel, media representatives and members of the public.

1.0 Call to Order

The special emergency meeting of the RWSA Board of Directors was called to order by Mr. Gaffney on Thursday, October 5, 2017 at 12:00 p.m.

Mr. Mawyer reported that he had asked the Board to attend this emergency special meeting, which is allowed in the RWSA bylaws and requires a three-hour advanced notice for the public. He stated that the reason staff felt this could not wait until the regular Board meeting on October 24th was because there is a significant issue related to water level decline at the Rivanna Reservoir. Mr. Mawyer noted that Rivanna can potentially stop the release of 6-8 million gallons of water per day, with mandatory restrictions being declared, and this stems from a discussion with the Department of Environmental Quality (DEQ). He noted that one tool that can be used to mitigate and hold onto water storage is for Rivanna to ask DEQ to allow a decrease in minimum instream flow releases – which had been 9 million gallons a day. An additional 5 to 6 million gallons per day was being removed from the reservoir for treatment in the South Rivanna plant. Mr. Mawyer stated that Rivanna has asked DEQ to allow the release to be minimized to between 1.3 and 3 million gallons, depending on how

tightly the valve in the reservoir dam can be sealed. He noted that one of DEQ's conditions is for Rivanna to declare mandatory water restrictions for DEQ to consider the request.

Mr. Krueger mentioned that the RWSA bylaws allow the Board to declare an emergency meeting on three hours' notice, but also require that the declaration for the meeting be approved by a vote of the Board. He noted that Mr. Mawyer's abbreviated background information was to allow them to feel comfortable making that declaration.

Mr. Walker stated that this requested Board vote was just for the approval of the declaration of the emergency meeting, and there would be a separate action to authorize the chair to act with respect to the emergency water restrictions.

Mr. Walker moved to approve the declaration of a special emergency meeting of the RWSA Board. Mr. Jones seconded the motion, which passed unanimously (7-0).

2.0 Items From the Public

There were no items from the public presented.

3.0 Response to Public Comments

There was no response to public comments.

4.0 Request for Authorization to Declare a Drought Warning or Drought Emergency

Mr. Mawyer reported that the Rivanna Reservoir was 100% full on August 3, and within 60 days it has declined to 42% of capacity – and staff believes that over the last few weeks, it is declining at an even faster rate. He stated that the average decline was 8.5 MGD as a net deficit of what came in to the reservoir versus what was taken out and what was released to the stream, with evaporation also a factor, but since the September Board meeting and October 2, the reservoir decreased at an average of 15.5 MGD. Mr. Mawyer noted that this rate had doubled, so the decline in water level was actually accelerating, which is typical of drought conditions as the drier it gets, the faster the ground pulls in surface water. He stated that a drought watch was declared the previous Tuesday, which is the first step in the drought management program and asks for voluntary measures to be taken. He stated that Rivanna issued press releases and sent a letter to Council and the Board of Supervisors, as well as the ASCA.

Mr. Mawyer stated that RWSA staff has been talking with DEQ about minimizing the instream release and sent them a letter earlier in the day asking for a variance to the permit, to lower the release. He noted that one of DEQ's conditions is for the community to be in mandatory water restrictions, so the next step would be to declare a drought warning, which has mandatory restrictions for both ACSA and City customers in terms of lawn-watering and other activities. Mr. Mawyer stated that this would put the community in mandatory requirements and would meet DEQ requirements, which would save about 6-8 MGD and significantly extend the storage of the reservoir.

Mr. Mawyer noted that they could hope that upcoming storms will bring precipitation – but there were several storms predicted for September that never arrived, and they also may not bring enough rain. He stated that at 42% of capacity, they would need about 600 MG to fill Rivanna Reservoir. Mr. Mawyer stated that it was suggested that the Board consider the motion, then he would go through some photos depicting conditions. He noted that the Town of Orange had declared mandatory water restrictions on October 4, and DEQ showed emergency stream flow conditions on its website for the “Middle James Area,” which includes the Rivanna service area. Mr. Mawyer stated that DEQ also changed the groundwater flow from “normal” to “watch,” and reservoir levels were also changed to “watch”.

Mr. Mawyer stated that they believed it would be prudent to save every gallon possible in the reservoir, noting that the South Rivanna Treatment Plant and Observatory Treatment Plant jointly serve the urban system – and the urban system cannot be fully served with only the Observatory Treatment Plant in operation through the Ragged Mountain Reservoir. He noted that most of the water for the system is currently in Ragged Mountain, with the Rivanna Reservoir being significantly low.

Mr. Mawyer emphasized that they want to do everything possible on the demand side, through the actions of the Board to implement mandatory restrictions and try to reduce the use. He stated that they have switched operations and have minimized water production at the South Rivanna Treatment Plant while maximizing production at the Observatory plant, using Ragged Mountain to minimize what was being taken out of the Rivanna Reservoir. Mr. Mawyer reiterated that the third tool to try to retain capacity in the South Fork Rivanna Reservoir was the request of DEQ to reduce minimal instream flow.

Mr. Walker asked him to discuss the process by which the warning would be implemented, given that City Council, the Board of Supervisors, and the ACSA would need to be involved.

Mr. Mawyer explained that Rivanna would issue a drought warning declaration letter under Mr. Gaffney’s signature to the City, County, and the ACSA – whose boards would need to approve the action.

Mr. O’Connell clarified that the ACSA would have to make a request to the Board of Supervisors to act, which would likely be the following Wednesday evening, and the ACSA Board would probably meet that Monday or Tuesday.

Mr. Mawyer noted that the Council and Board of Supervisors have the legislative authority to enact the water restriction ordinances, and it was likely that DEQ would authorize a reduction in the required release to the river based on the actions taken now, as Rivanna would like to close the gate on the pipe that releases to the stream as soon as possible.

Mr. Walker stated that this would likely affect the timing of the restrictions’ effect.

Mr. Mawyer explained that Rivanna would issue a press release indicating RWSA has declared a drought warning and explaining what it means in terms of localities enacting ordinances, etc., which would soon enact the warning stage. He reviewed some of the specific

provisions in the ordinances – such as limiting lawn watering to manual watering only and the prohibition of washing vehicles and sidewalks, as well as refilling ornamental fountains and swimming pools.

Mr. Jones asked when the Chair would declare a drought warning.

Mr. Mawyer responded that it would either be now or the following day, as the letter is ready for him to sign. He stated that there are 9 MGD going out on minimum instream flow, and reducing that to 2-3 MGD would save a full day's supply.

Mr. Gaffney asked for clarification as to DEQ allowing the instream flow change, and the timing with the City and County approvals.

Mr. Mawyer responded that the DEQ may not allow the change without the approvals first, but Rivanna is emphasizing the practicality that the Board and Council would agree to take this action – so that DEQ would possibly allow the flow to be stopped immediately following the RWSA Board's action.

Mr. O'Connell stated that this would lead to communications with the public as to what the warning stage is, which is basically restricting every outdoor use and having restaurants only offer water to customers at their request. He stated that there are some important restrictions that would impact residents, and they need to get the word out.

Dr. Palmer mentioned that she had been on WINA earlier that morning and had talked about drought watch measures being all voluntary – so this was moving very quickly and it was important to make the distinction for the public.

Mr. O'Connell also pointed out that people didn't know the difference other than they were moving to mandatory restrictions that would be enforced.

Ms. Galvin stated that this would also help the public understand that there were drought restrictions even though the new Ragged Mountain Dam had been built, given the controversy surrounding that project, and asked that a very clear statement regarding the reason for restrictions should be made.

Mr. Mawyer agreed.

Dr. Palmer commented that it should include the release and also a statement regarding the fact that the water supply plan has not yet been completed.

Ms. Galvin agreed and emphasized that they can't treat the water they could tap into from the Ragged Mountain Dam at the capacity they need, but this seemed to be getting lost on members of the public – with questions as to why the community went through all of that yet still had a drought. She reiterated that the plan was not completely implemented yet.

Mr. Mawyer responded that the drought's impact on the Rivanna Reservoir has moved very quickly – with the model saying just a week earlier that capacity was at 70% and everything was okay, and now a drought warning. He stated that the best they could explain it was the loss of 13-15% of reservoir capacity from one week to the next.

Dr. Palmer stated that if there was any problem with the DEQ not allowing Rivanna to lower the release from South Fork without the rest of the boards, Rivanna staff would contact the Board and Council so they could take action and hold a special meeting, if necessary.

Mr. Mawyer mentioned that DEQ was working very cooperatively with Rivanna and was looking to balance the public need with the environmental need, and that's why the minimum instream flow requirement was there in the first place. He emphasized that when there was a challenge to the supply, the DEQ wanted both sides to share in the challenge.

Mr. Walker commented that everyone has been experiencing the dryness over the last several weeks, so there was an intuitive understanding of the dilemma and maybe even of the urgency. He noted that if the area gets rain over the next few days, the intuitiveness might change – but the facts and perceptions of conditions won't.

Mr. Mawyer stated that hopefully they would get the rain and afterwards could work with Mr. O'Connell and Ms. Hildebrand to look at reservoir levels. He noted that it would not be expected to go into a warning and then right back out of it, unless they were very lucky. Mr. Mawyer stated that usually during drought conditions – even when bodies of water fill up quickly from a storm, they start receding quickly also.

Ms. Galvin asked how many inches of rain would be needed to fill it up, because it was unlikely they would get more than an inch or two.

Mr. O'Connell noted that he had seen a report showing them as being about 7 inches less than the average summer, down from 13 to 6. He stated that he did not know how many inches of rain it would take to get back to that point, but it was a lot of rain.

Mr. Walker commented that it also mattered when the rain came.

Dr. Palmer stated that they did not know the extent of the hydrologic drought.

Mr. Mawyer pointed out that the other four reservoirs are at 80% or more of capacity, so the focus was just on the South Rivanna.

Ms. Galvin stated that she has heard that it takes one foot of snow to equal one inch of rain.

Mr. Gaffney responded that hopefully they would not have to wait for snow.

Mr. O'Connell stated that when they've been at this stage before, it didn't end until January or February, so they may be in for months of drought.

Mr. Gaffney commented that in 2002, it took 30 days to fill the reservoir.

Mr. O'Connell asked if Rivanna planned to put together a press release and information packet that would address these questions and could be shared with the public.

Mr. Mawyer responded that the press release was a minimum and would be done later that afternoon, as they want to give DEQ a copy of it.

Mr. O'Connell stated that the questions he has received from constituents relate to how quickly things have changed, and this information would help people understand why – particularly the decline of the South Fork levels.

Mr. Mawyer noted that on August 3rd, the reservoir was full, so the water storage had declined very quickly.

Ms. Galvin stated that the questions she has received pertain to why they are in this situation since they built the dam.

Mr. Mawyer replied that the reason why is because they cannot serve the full area with the Observatory Treatment Plant only.

Ms. Galvin stated that it was a technical point but an important one to address.

Mr. Gaffney added that it shows the importance of the [South Fork Rivanna Reservoir - Ragged Mountain Reservoir] pipeline.

Mr. O'Connell stated that it also shows the need to enlarge the Observatory Treatment Plant.

Ms. Galvin agreed.

Mr. Gaffney asked if capacity would be added to Observatory when it was rebuilt.

Mr. Mawyer responded that they would need to go from 5.4 to 10 million, and if they had that capacity now, Rivanna and Observatory would be almost equal and could each independently serve the urban area as well as collectively.

Dr. Palmer asked about the pressure issues.

Ms. Whitaker responded that the Southern Loop Avon to Pantops pipeline project was also part of that solution, and that it addresses the ability to transfer water on the distribution side so it addresses the pressure issues as well.

Mr. O'Connell asked if there could be some pressure losses to customers in the system along the way, if there is a decline.

Mr. Mawyer stated that they shouldn't see any in the near future.

Dr. Gullick explained that if they can stop the required releases and minimize that, they should be able to hold the [South Fork] reservoir steady and not have a problem with pressure.

Mr. Gaffney asked if North Fork was still operating and how much they were producing.

Mr. Mawyer responded that it was operating, and it produced 400,000 gallons per day. He pointed out that they ramped up operations at Observatory from a half-day to full-day operation and from 2 MGD to 5 MGD – and they backed off at the Rivanna plant from 9 MGD to 6 MGD. Mr. Mawyer noted that the other tools available were water conservation, minimum instream release, and nature.

Dr. Palmer asked if there were instream flow requirements below the dam at the North Fork plant.

Dr. Gullick responded that there were not.

Dr. Palmer asked about the North Fork water levels.

Dr. Gullick stated that it was still overflowing as he last heard, but there will come a point if it stayed dry that it would no longer overflow – and in the past, they have actually had to shut the treatment plant down to allow the water to collect to have enough to pump it up to the plant and turn it on and off.

Mr. Mawyer noted that they could not serve the area served by the North Fork plant from the Rivanna plant.

Mr. Walker stated they needed a motion to authorize the Chair to declare a drought warning or a drought emergency, should drought conditions continue in the Charlottesville/Albemarle area.

Dr. Palmer stated that they could just say drought warning.

Mr. Walker noted that the recommendation was to authorize either.

Mr. Mawyer stated they didn't expect to go to an emergency, but the authorization would ensure that they could take that next step if they didn't get agreement from DEQ.

Dr. Palmer moved to authorize the Chair to declare a drought warning or a drought emergency, should drought conditions continue in the Charlottesville/Albemarle area. Ms. Galvin seconded the motion, which passed unanimously (7-0).

Mr. O'Connell asked if the press release going out later that afternoon would declare the mandatory restrictions and the drought warning.

Mr. Mawyer replied that Rivanna would like to do that.

Mr. Walker thanked partners in the media for helping to get the word out.

5.0 Adjournment

Mr. Jones moved to adjourn the RWSA Board meeting. Mr. O'Connell seconded the motion, which passed unanimously (7-0).

There being no further business, the meeting adjourned at 12:23 p.m.

Respectfully submitted,



Mr. Maurice Jones
RWSA Secretary-Treasurer