



# PRESERVATION VIRGINIA

December 21, 2018

Steven Vanderploeg  
Environmental Scientist  
US Army Corps of Engineers, Norfolk District Western Virginia Regulatory Section  
9100 Arboretum Parkway, Suite 235  
Richmond, VA 23236

RE: JAMES RIVER WATER SUPPLY PUMP STATION AND PIPELINE ALIGNMENT FLUVANNA COUNTY,  
VIRGINIA VDHR NUMBER: 2015-0984

Dear Mr. Vanderploeg:

Following up on my letters of July 27 and September 28, 2018, I respectfully submit the following comments in response to the consulting party meeting held on October 31, 2018 (which I joined by phone, about 30 minutes into the meeting) and the revised Draft Memorandum of Agreement (MOA) and associated treatment plan sent by your office on November 21, 2018.

With regard to the legal treatment of archaeological resources at the site, I defer to and agree with the comments filed on December 20 by Greg LaBudde, Archaeologist, Review and Compliance Division of the Virginia Department of Historic Resources. Regarding the ethical treatment of the archaeological resources negatively affected by the project, I respectfully agree with and refer you to the concerns of the Monacan Indian Nation as expressed in the letter submitted by Cultural Heritage Partners on November 27. For the remainder of this letter, I would like to outline my concerns about the Section 106 consultation process on this project to date.

## Consultation Process

As a consulting party for a previous federal action (a FEMA grant) in the Columbia/Point of Fork area, and having personally participated in past public meetings held by Fluvanna County (on behalf of the James River Water Authority), I have been concerned for more than two years about the lack of public information about this project. It was not until November 2017 that we were recognized as a consulting party, at which point I was surprised to learn of the amount of archaeological investigative work already undertaken at the site in consultation with DHR.

As part of a Section 106 review process, where the stakeholder potentially most impacted by the undertaking is at the table—the Monacan Indian Nation—alternatives that might have avoided this significant site should have been explored. Instead, it would seem that consulting parties were brought into the discussion well after the fact, when the site was already decided upon and requests for comments focused on specific details of minimization of negative impacts and, ultimately, an insufficient approach to mitigation.

Short of avoiding this site so important to the Monacan Indian Nation, the project proponents should be prepared to discuss appropriate levels of mitigation to offset the negative impacts of the siting of the pumping station and the disturbance to elements of National Register-listed historic resources such as the Point of Fork plantation complex (DHR Inventory No. 032-0024), the Rivanna Canal Navigation Historic District (DHR Inventory No. 032-0036), and the James River and Kanawha Canal and Railroad (DHR Inventory No. 032-5124).

## Mitigation

While I defer to the specific wishes of the Monacan Indian Nation when it comes to the disposition and curation of artifacts unearthed by the undertaking, it should be noted that the burden of properly assessing and storing said artifacts should not fall to them. The positioning of the pumping station on this well-known site and the subsequent disturbance of archaeological resources and altering of the setting was not at the behest of the Monacan Indian Nation; with the decision to locate the pumping station here, the permit applicants must acknowledge that the proper treatment of this material is simply an additional “cost of doing business.” The identification of alternate sites may have saved much time and (taxpayer) dollars with this undertaking.

In previous correspondence, I noted that “to the degree that the proposed project passes through and affects canal-related resources, further efforts to mitigate that disturbance may be warranted.” Additional mitigation may be necessary to offset the actual impact to the National Register-listed resources like the slave cabin on the Point of Fork property (near which an access road is proposed to be constructed) and the aforementioned two instances where historic canal building material will be moved and rebuilt. While Louisa and Fluvanna County residents may see an economic benefit from this project sometime in the future, I would argue that the immediate community in which this work will take place will not see any benefit, but rather, a net loss when it comes to the work that will negatively affect the integrity of the area’s already-listed historic resources. In other words, what is the public benefit that is realized with the lessening of the integrity of these character-defining sites? Negative impacts to resources ought to be made up elsewhere, for the good of the community. Such efforts might include funding for master planning for envisioning Columbia as a site for heritage and recreational tourism, which would also benefit Fluvanna County economically.

From an educational and interpretive point of view, the information gathered to date from research and archaeological work should be—with coordination with and permission from the Monacan Indian Nation—shared more transparently with the public. Organizations like the Fluvanna County Historical Society, among others, are important partners for the dissemination of the rich, multi-layered history represented at this site and what it can reveal about pre and post-contact Virginia history.

Thank you for the opportunity once again to offer comments on this project. The disruption to those resources that the proposed infrastructure project will cause deserves close scrutiny and a robust discussion of mitigation efforts and approaches. I look forward to speaking further with the consulting parties.

Sincerely,

Justin A. Sarafin  
Director of Preservation Initiatives & Engagement  
Preservation Virginia