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January 10, 2019

Via Email (paul.holt@jamescitycountyva.gov)

Paul Holt, Director
Community Development/Planning
James City County
P.O. Box 8784
Williamsburg, VA 23185

Via Federal Express and Email (clyde.cristman@dcr.virginia.gov)

Clyde Cristman, Director
Department of Conservation and Recreation
600 E. Main St., 24th Floor
Richmond, VA 23219

Via Federal Express and Email (tyler.meader@dcr.virginia.gov)

Tyler Meader, Locality Liaison
Department of Conservation and Recreation
Division of Natural Heritage
600 East Main Street; 24th Floor
Richmond, VA 23219

Re: Request Pursuant to Virginia Code § 15.2-4313

Dear Mr. Holt, Mr. Cristman, and Mr. Meader:

On December 12, 2018, Hampton Roads Sanitation District ("HRSD") submitted a report ("Report") to James City County pursuant to Virginia Code § 15.2-4313, as notice of its intent to acquire real property by condemnation for public utility purposes located within an Agricultural and Forestal District ("AFD"). Carter's Grove Associates, LLC owns the property at issue in the Report.

Enclosed is a copy of the Report by HRSD. Also enclosed is a copy of the letter in response to the Report which Carter's Grove Associates, LLC is sending to James City County today.

Virginia Code § 15.2-4313(B) states as follows:

B. Upon receipt of a notice filed pursuant to subsection A, the local governing body, in consultation with the local planning commission and the advisory committee, shall review the proposed action and make written findings as to (i) the effect the action would have upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the district and the policy of this chapter; (ii) the necessity of the proposed action to provide service to the public in the most economical and practical manner; and (iii) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the district. **If requested to do so by any owner of land that will be directly affected by the proposed action of the agency, corporation, or political subdivision, the Director of the Department of Conservation and Recreation, or his designee, may advise the local governing body on the issues listed in clauses (i), (ii) and (iii) of this subsection.**

(emphasis added).

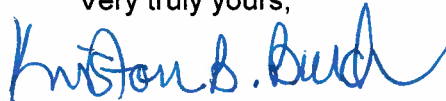
Through this letter, Carter's Grove Associates, LLC, as owner of the property at issue in the Report, requests that the Director of the Department of Conservation and Recreation or his designee ("DCR") advise James City County regarding the following issues listed in Section 15.2-4313(B):

- (i) the effect the action would have upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the district and the policy of this chapter;
- (ii) the necessity of the proposed action to provide service to the public in the most economical and practical manner; and
- (iii) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the district.

Carter's Grove Associates, LLC assumes James City County will take all steps necessary with DCR, including completing any forms or making any payments required, in order for DCR to advise James City County on the issues outlined above.

To the extent that additional information is needed, please contact me as counsel for Carter's Grove Associates, LLC.

Very truly yours,



Kristan B. Burch

KBB:wr
Enclosures

Paul Holt, Director
Community Deveiopment/Planning Director
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cc: Brad Baskette, Assistant Director of Stewardship, Virginia Outdoors Foundation (via email) (w/o encls.)
Robyn Hylton Hansen, Esq. (via email) (w/o encls.)