



# A-NPDC

ACCOMACK-NORTHAMPTON PLANNING DISTRICT COMMISSION  
P.O. BOX 417 • 23372 FRONT STREET • ACCOMAC, VIRGINIA 23301  
(757) 787-2936 • TOLL FREE (866) 787-3001 • FAX: (757) 787-4221  
WEBSITE: [www.a-npdc.org](http://www.a-npdc.org)

## Eastern Shore of Virginia Ground Water Committee

**October 15, 2024 10:00 a.m.**

ESVA Chamber of Commerce

19056 Parkway; Melfa, Virginia 23410



The committee’s mandate is to “assist local government and residents of the Eastern Shore in understanding, protecting, and managing groundwater resources, to maintain a groundwater resources protection and management plan, to serve as an educational and informational resource to local governments and residents of the Eastern Shore, and to initiate special studies concerning the protection and management of the Eastern Shore groundwater resource.”

### Virtual Attendance:

#### For Joining via Computer:

1. Click this link: <https://zoom.us/j/7577872936?pwd=QTNJdmhCc3pWdVNUZ0ZWYnVjdWpWUT09>
2. If prompted, enter the Meeting ID: 757 787 2936
3. If prompted, enter the Passcode: 7577872936

#### For joining via Phone (calling in):

1. Dial 1-646-558-8656
2. When prompted for meeting code enter 7577872936#
3. When prompted to identify as host or participant, enter #
4. When prompted for password, enter 7577872936#

Translation services available: Call 1-718-838-9317... #6980900. Press 1 for Spanish. Press 2 for Haitian Creole.

~~Servicios de traducción disponibles: Llame al 1-718-838-9317 ... # 6980900. Presione 1 para español.~~

~~Sèvis Tradiksyon Disponib: Rele 1-718-838-9317 ... # 6980900. Peze 2 pou kreyòl avertisyen.~~



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## **Eastern Shore of Virginia Ground Water Committee October 15, 2024 Meeting Agenda**

- 1. Call to Order**
- 2. Public Participation**
- 3. Minutes of the September 17, 2024 Meeting & Committee Attendance Record**
- 4. September Financial Status Report**
- 5. October 15, 2024 Staff Report**
- 6. Eastern Shore of Virginia Groundwater Resource Protection and Preservation Plan**  
<https://www.esvaplan.org/wp-content/uploads/2024/05/ESVA-Groundwater-Resource-Protection-And-Preservation-Plan-2013-Full-Plan.pdf>
- 7. October 15, 2024 Ground Water Consultant Report**
- 8. Attachments, as needed**
- 9. Scheduled Next Meeting for November 19, 2024 at 10:00 a.m.**  
**Eastern Shore Chamber of Commerce / Board Room**
- 10. Adjournment**



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## MEMORANDUM

TO: Eastern Shore of Virginia Ground Water Committee

FROM: Elaine Meil  
Executive Director, A-NPDC

DATE: October 15, 2024

SUBJECT: September 17, 2024 Meeting Minutes & Committee Attendance Record

Minutes of the September 17, 2024, Eastern Shore of Virginia Ground Water Committee Meeting and the Committee Attendance Record are attached.

**Committee approval of the actions taken by the committee members on September 17, 2024 is requested and approval of the September 17, 2024 minutes is requested.**

**Minutes of the September 17, 2024 Meeting**



## Eastern Shore of Virginia Ground Water Committee

The meeting of the Eastern Shore of Virginia Ground Water Committee was held at 10:00 A.M. on Tuesday, September 17, 2024. It was held in person at the Eastern Shore Chamber of Commerce’s board room in Melfa, Virginia. Virtual was available for members of the public.

<u>Members Present</u>	<u>Members Absent</u>	<u>Others Present</u>
Calvin Washington Sr. / Vice Chairman	John Coker, Chairman	Britt McMillan / ARCADIS*
Sue Mastyl	Mike Mason	Curtis Consolvo / Geo Resources *
Paul Grossman	Steve Sturgis	Charles Kolakowski *
Daniel Hershey	Grayson Chesser	Benjamin Young / USDA NRCS*
Elaine Meil	Ann Hayward Walker	Faith Lewis / A-NPDC
		Mr. Bill / CCGYC *
		Eric Seavey / DEQ
		William Savage *

*\*Signifies Zoom participation*

- Call to Order**



Vice Chairman Washington called the meeting to order at 10:01 a.m. There was no quorum, the members acted on the agenda under the expectation that the actions would be considered at the next meeting with a quorum.

2. **Public Participation**

There was no public participation.

3. **Minutes of the August 20, 2024 Meeting and Committee Attendance Record**

Approval of the minutes for August 20, 2024 and the Committee Attendance Record, were requested.

Member Mastyl moved to approve the minutes from the August 20, 2024 meeting and the Committee Attendance Record. It was seconded by Member Grossman, the motion was carried by unanimous vote.

4. **August Financial Status Report**

The August Financial Status Report was presented.

Member Mastyl moved to approve the August Financial Status Report as presented. It was seconded by Member Hershey. The motion was carried by unanimous vote.

5. **September 17, 2024 Staff Report**

**Environmental Reviews and Permits:**

**Hampton Roads Sanitation District - Island Utilities;** 3855 South Main Street, Chincoteague, VA 23336

Public Comment Period: 07/31/2024 - 09/01/2024                      Permit No. VA0091049

The purpose of this notice is to seek public comment on a draft permit from the Department of Environmental Quality that will allow the release of treated wastewater into a waterbody in Chincoteague, Virginia.

**Groundwater Withdrawal Permits:**

**Public Comment Period:** August 30, 2024 to September 30, 2024

**Permit Number:** GWI000358

**Applicant Name & Address:** Charles D. Tankard; 26103 Lankford Highway; P. O. Box 119; Capeville, VA 23313

**Name & Location of Water Withdrawal:** Tankard Farm; 26103 Lankford Highway; P. O. Box 119; Capeville, VA 23313

**Purpose of Notice:** To seek public comment on a draft permit from the Department of Environmental Quality (DEQ) for the withdrawal of ground water in Northampton, Virginia.

**Public Comment Period:** August 16, 2024 to September 16, 2024



**Permit Number:** GWI000185

**Applicant Name & Address:** Virginia-American Water Company; 2223 Duke Street; Alexandria, VA 22314

**Name & Location of Water Withdrawal:** Cape Charles Water; 2140 Stone Road; Cape Charles, VA 23310

**Purpose of Notice:** To seek public comment on a draft permit from the Department of Environmental Quality (DEQ) for the withdrawal of ground water in Northampton County, Virginia.

For details please see: <https://www.deq.virginia.gov/permits/public-notices/water/water-withdrawal>

### **VA Pollutant Discharge Elimination System Program:**

- Domestic Sewage Discharges of Less than or Equal to 1,000 Gallons per Day (VAG40)
- Seafood Processing Facilities (VAG52)
- Remediation of Contaminated Sites and Hydrostatic Tests (VAG83)
- Discharges of Stormwater Associated with Industrial Activity (VAR05)
- Non-Metallic Mineral Mining (VAG84)
- Concentrated Animal Feeding Operations (VAG01)
- Concrete Products Facilities (VAG11)
- Vehicle Wash and Laundry Facilities (VAG75)
- Non-Contact Cooling Water Discharges (VAG25)
- Pesticides Discharges (VAG87)
- Watershed Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed (VAN00)
- Potable Water Treatment Plants (VAG64)
- Municipal Separate Storm Sewer Systems (MS4) (VAR04)
- Fundraising Car Wash Guidelines

For details please see:

<https://www.deq.virginia.gov/permits/water/surface-waters-vpdes>

### **Consent/Enforcement Orders:**

N/A

### **Upcoming Events/Meetings:**



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Date and Time		Meeting Title	Organization	
Sep-16 2024 (Mon)	10:00 am	<u>State Water Control Board Meeting</u> Agenda	State Water Control Board	R
Sep-18 2024 (Wed)	9:00 am	<u>Technical Advisory Committee Meeting for 9VAC25-115 Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Seafood Processing Facilities</u> Agenda	State Water Control Board	R
Nov-14 2024 (Thu)	9:30 am	<u>Information session and public hearing- Rulemaking to adopt site specific selenium aquatic life criteria for four streams which are tributaries to Knox Creek in Buchanan County</u>	State Water Control Board	H

For details please see: <https://townhall.virginia.gov/L/meetings.cfm>

### Old Business:

#### Residential Well Testing

An update on the Residential Well Testing Program was given. The committee has received residential water well testing permission slips for 47 applicants in Accomack County and 43 applicants in Northampton County.

The timeframe for collecting the samples will be the last week in October. There will be a minimum of three teams, (2 to a team), going out in the field to collect the samples. Britt McMillan is sending one staff member to assist us. This person is experienced in collecting samples and also from the well heads. If anyone is interested in volunteering with this project, it would be greatly appreciated.

There was discussion about calling the applicants prior to the collect time to obtain additional information which would be useful. Britt McMillan will coordinate a questionnaire.

#### Technical Evaluation for Proposed Groundwater Withdrawal Presentation

The presentation on the Technical Evaluation for the Proposed Groundwater Withdrawal given by Britt McMillan at the August 26, 2024, Onancock Town Council meeting can be reviewed with the groundwater subject starting at 20 minutes into the video and the developer presentation at 55 minutes. This was regarding the new housing development, known as Coastal Square, located on Fairgrounds Road in Accomack County. The link is listed below:

<https://www.youtube.com/watch?v=qVxZnqYLOdA&t=7779s>

### New Business:





## Remote Policy

The remote policy options were explained to the Committee. The Committee will have to choose which policy option they want to adopt. The Code of Virginia has increased the number of potential virtual meetings to 50% which is five for our Committee meetings. The policy they choose would have to be readopted yearly. This could take place in June when the Committee had elections. Additional rules would prohibit the policy from stopping members from voting during a virtual meeting and restrictions on not holding them with another meeting. There was also a caregiver option which has been expanded. If the Committee would want a remote policy, Staff Meil will draft a policy with their guidance. There will be further discussion at the next meeting.

## Water Supply Planning

The state has required The Virginia Register of Regulations to publish a Local & Regional Water Supply Plan. The final regulations for Local & Regional Water Supply Planning were published in the Virginia Register of Regulations. The link is listed below.

<https://register.dls.virginia.gov/details.aspx?id=11272>

Accomack County has designated Jeremy W. Shifflett as the county representative with Stewart Hall the alternate. There has not been one designated presently for Northampton County. More information to come in the future.

## 6. Eastern Shore of VA Ground Water Resource Protection & Preservation Plan

The Eastern Shore of VA Ground Water Resource Protection & Preservation Plan needs to be updated. The current plan is in the link below.

<https://www.esvaplan.org/wp-content/uploads/2024/05/ESVA-Groundwater-Resource-Protection-And-Preservation-Plan-2013-Full-Plan.pdf>

The plan was shared with the Committee in July. They were requested to review the plan. Staff has begun a tentative prioritized Scope of Work for discussion purposes. Guidance from the Committee was requested. Residential Well Testing was mentioned to be included in the Scope of Work. Further discussion will be continued at the next meeting.

## 7. September 17, 2024 Groundwater Consultant Report

GWC Advisor McMillan referred to the draft permit for Tankard Farm, (GWI000358). DEQ is accepting public comment through September 30, 2024. It is a renewal of a current valid permit. The groundwater is used for agricultural use. An on-site pond provides irrigation water with groundwater from two production wells supplementing the pond supply. The wells which supply the water are screened in the Upper Yorktown-Eastover aquifer. The draft permit is requesting a lower amount which represents a 57% reduction than what is in the current permit.





Regarding the potential for saltwater intrusion, Tankard Farm is located south of the Town of Cape Charles in an area where the freshwater lens naturally thins as it approaches the southern tip of the Eastern Shore. Fresh groundwater is expected to be naturally limited in this area. Somewhat mitigating this, the location of the wells is close to the center of the “spine” near Route 13, where the freshwater lens is thickest.

Groundwater has been used from these irrigation wells for greater than 10 years and the amount that will be used will not increase over historical use. Any change in chloride levels would likely have already occurred.

Member Hershey and Member Grossman commended this was a positive change. The permit request showed a more realistic number.

**8. Attachments**

**9. Scheduled Next Meeting**

The next scheduled meeting for the Ground Water Committee will be held on Tuesday, October 15, 2024, at 10:00 a.m. - 12:00 p.m. The meeting will be held at the Eastern Shore Chamber of Commerce’s Board Room in Melfa, Virginia.

**10. Adjournment**

Member Grossman made the motion to adjourn. It was seconded by Member Hershey, the motion was carried by unanimous vote.

The meeting was adjourned at 11:13 a.m.

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Calvin Washington, Vice Chairman

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Elaine K. N. Meil, Secretary/Treasurer



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Member	Term Exp.	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<i>ACCOMACK COUNTY</i>													
<b>Calvin Washington Sr.</b>	<i>Vice Chair, July 2025</i>	*	X	X									
<b>Paul Muhly</b>	<i>Vice Chair; Next vote: July 2025</i>		-	-									
<b>Dan Hershey</b>	<i>June 2025</i>	*	X	X									
<b>Grayson Chesser</b>	<i>June 2023</i>	*	X	/									
<b>Sue Mastyl</b>	<i>April 2025</i>	*	X	X									
<i>NORTHAMPTON COUNTY</i>													
<b>John Coker</b>	<i>Chair; Next Vote: July 2025</i>	*	/	/									
<b>Paul Grossman</b>	<i>March 2024</i>	*	X	X									
<b>Steve Sturgis</b>	<i>July 2024</i>	*	X	/									
<b>Ann Hayward Walker</b>	<i>December 2024</i>	*	X	/									
<i>NON-VOTING EX-OFFICIO MEMBERS</i>													
<b>Charles Kolakowski</b>	<i>NA</i>	*	/	X									
<b>Mike Mason</b>	<i>NA</i>	*	/	/									
<b>Elaine Meil</b>	<i>NA</i>	*	X	X									
-	<u>Not a Member</u>			X			Member Present		()			Alternate Present	
*	No Meeting Held			NA			Not Applicable			/		Absent	



MEMORANDUM

TO: Eastern Shore of Virginia Ground Water Committee



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FROM: Sandy Taylor  
Director of Administration, A-NPDC

DATE: October 15, 2024

SUBJECT: September 2024 Financial Statement

Attached is the September 2024 Eastern Shore of Virginia Ground Water Financial Statement.

**Committee approval of the September 2024 Financial Statement is requested.**

## Eastern Shore of Virginia Ground Water Committee

### Financial Statement

September 2024

	<u>BUDGET</u>	<u>Current Period</u>	<u>Year to Date</u>	<u>Balance</u>
		<u>Activity</u>	<u>Activity</u>	
Ground Water Consultant	\$ 21,666.00	\$ 5,416.50	\$ 5,416.50	\$ 16,249.50
Ground Water Modeling Run	\$ 16,000.00	\$ -	\$ -	\$ 16,000.00
Ground Water Committee Staff Support	\$ 20,000.00	\$ 324.39	\$ 4,158.84	\$ 15,841.16
Ground Water Committee Member Fees	\$ 5,000.00	\$ 643.88	\$ 643.88	\$ 4,356.12
USGS Ground Water Model	\$ 15,000.00	\$ -	\$ -	\$ 15,000.00
Ground Water Plan Project Implementation #1 Well Testing	\$ 73,000.00	\$ 2,322.06	\$ 4,914.97	\$ 68,085.03
Ground Water Plan Project Implementation #2 TBD	\$ 57,489.00	\$ -	\$ -	\$ 57,489.00
<b>TOTAL</b>	<b>\$ 208,155.00</b>	<b>\$ 8,706.83</b>	<b>\$ 15,134.19</b>	<b>\$ 193,020.81</b>

### Bills Payable as of September 30, 2024

<u>DUE TO</u>	<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
A-NPDC	9/1/2024	09/01 - 09/30/2024	\$ 2,632.48
<b>Total Bills Payable</b>			<b>\$ 2,632.48</b>



## MEMORANDUM

TO: Eastern Shore of Virginia Ground Water Committee

FROM: Elaine Meil  
Executive Director, A-NPDC

DATE: October 15, 2024

SUBJECT: October 2024 Staff Report

### **Old Business:**

#### Residential Well Testing Update:

Staff is scheduling the clients for well testing. Each client will receive a four hour window and be advised that it is not necessary for them to be present unless the source of water testing is not accessible. Door stickers have been purchased to tell the household the sample has been collected.

#### DEQ Response to Cape Charles Permit

Good morning Mr. Singleton, Ms. Meil and the ESV Groundwater Committee,

Thank you for providing the Eastern Shore of Virginia Groundwater Committee comments on the draft groundwater withdrawal permit for the Town of Cape Charles, GWI000185. The suggestion for a potential tiered permit is appreciated but since the facility would be proposing a potential increase in withdrawal and considering the current trends in chloride monitoring results, the draft permit allows the facility to contact the Department to discuss the possibility of a major modification for the increase in the withdrawal limits rather than having a tiered potential increase. The Department agrees that inclusion of the new observation wells to be installed as required in Part II F into the State Observation Well (SOW) network Virginia Chloride Monitoring Network will be of great use. It is the intent to have these wells included in the SOW network and the reason for the required instrumentation and installation requirements of Part II F 5 of the permit.

Kind regards,  
Nicole Reungoat



**Nicole Reungoat**

Groundwater Withdrawal Permit Writer

Office of Water Withdrawal Permitting

[Virginia Department of Environmental Quality](#)

1111 East Main St., Suite 1600

Richmond, VA 23219

(804) 698-4192

**New Business:**

**Remote Policy**

As discussed, a draft policy is presented below.

**Adoption of the policy is requested.**

*Policy Expires xxxxxxxxxxxxxx*

## Eastern Shore of Virginia Ground Water Committee Policy for Remote Participation

Pursuant to § 2.2-3708.3 of the Code of Virginia, as amended, the following policy is established for remote electronic participation in Committee meetings.

A. A Committee Member may participate in a meeting through electronic communication means from a remote location that is not open to the public only as follows:

1. A personal matter.

a. Prior to a meeting, the member shall notify the Chair of the Eastern Shore of Virginia Ground Water Committee (the “Committee”) that the member is unable to attend the meeting due to a personal matter. The member must identify with specificity the nature of the personal matter. The Chair determines whether or not to permit remote participation.

b. A quorum of the Committee must be physically assembled at the primary or central meeting location. The decision to permit remote participation shall be based solely on the criteria in this resolution, without regard to the identity of the member or matters that will be considered or voted on during the meeting.

c. The Secretary of the Committee shall record in the Committee’s minutes the specific nature of the personal matter and the remote location from which the absent member participated.



d. Participation by the absent member due to a personal matter shall be limited in each calendar year to three (3) meetings. Remote participation shall be counted against the member's limit even if an all-virtual meeting is subsequently called due to lack of a quorum in the primary meeting location.

2. A temporary or permanent disability. The member shall notify the Chair of the Committee that the member is unable to attend the meeting due to a temporary or permanent disability or medical condition, as defined by § 51.5-40.1, as amended, that prevents his or her physical presence. A member who uses the temporary or permanent disability remote participation counts toward the quorum as if the individual was physically present. The Secretary of the Committee shall record the location from which the member participated and the general reason for remote participation; temporary or permanent disability.

3. Medical condition of family member or caregiver. The member shall notify the Chair of the Committee that the member is unable to attend the meeting due to a medical condition of a family member that prevents physical attendance or the member is a caregiver who must provide care for a person with a disability at the time of the public meeting. A member who uses the medical condition of a family member or caregiver remote participation counts toward the quorum as if the individual was physically present. The Secretary of the Committee shall record the location from which the member participated and the general reason for remote participation; medical condition of family member or caregiver.

4. If the absent member's remote participation is disapproved because such participation would violate this policy, such disapproval shall be recorded in the Committee's minutes with specificity.

5. For any remote participation, the Commission shall make arrangements for the voice of the absent member or members to be heard by all persons in attendance at the meeting location.

6. Should technological problems occurring during a meeting interrupt a Member's remote participation, when the problem becomes known, the Chair, at his discretion, may briefly call a recess to address the problem. If the problem cannot be resolved at the end of a brief recess, the meeting will continue from the point of recess so as to complete the business of the Committee. The Member's inability to participate remotely shall be recorded as an excused absence from the point of interruption.

## B. All-Virtual Public Meeting

Committee meetings will only be all-virtual only as follows:

1. The Chair determines there exists a condition where an all-virtual meeting serves the public interest and calls an all-virtual meeting that meets the following requirements.
  - a. Electronic access must be provided to the public.
2. A monitored phone number must be publicly provided so the Committee can be alerted if the transmission of the meeting provided by the Committee fails. Failure of the Committee transmission requires the Committee to take a recess until public access is restored.





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3. The agenda and agenda packet, unless exempt, must be provided to the public at the same time as the members.
  4. The public is afforded the opportunity to comment virtually, including by way of written comments, when comments are customarily received.
  5. No more than two members are together in any one remote location unless that location is open to the public.
  6. Committee transmission to the public resumes before the public body votes to certify any closed session.
2. All-virtual meetings can only be held five (5) times per calendar year.

C. Committees, subcommittees or other entities designated by the Committee that perform delegated functions of the Committee or advise the Committee can hold all-virtual meetings determined by the Chair or members so long as they meet the requirements of B.1 through B.6.

## Water Supply Planning

### **Virginia Register of Regulations for Local & Regional Water Supply Planning**

The final regulations for Local and Regional Water Supply Planning were published in today's [Virginia Register of Regulations](#). The link is below.

<https://register.dls.virginia.gov/details.aspx?id=11272>

Accomack County has designated [Jeremy W. Shifflett](#) as the county representative with Stewart Hall the alternate.

The Town of Chincoteague has designated Mike Tolbert as the town representative and Wes Parks as the alternate.

### **Environmental Reviews and Permits:**

None at this time.

### **Groundwater Withdrawal Permits:**

None at this time.

For details please see:

<https://www.deq.virginia.gov/permits/public-notices/water/water-withdrawal>



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## Consent / Enforcement Orders:

N/A

## Upcoming Events/Meetings:

<u>Date and Time</u> ↓		<u>Meeting Title</u>	<u>Board</u>	
Oct-15 2024 (Tue)	9:00 am	<u>Waterbar and Utility Access Road Advisory Committee Meeting #2 Agenda</u>	State Water Control Board	G
Nov-14 2024 (Thu)	9:30 am	<u>Information session and public hearing- Rulemaking to adopt site specific selenium aquatic life criteria for four streams which are tributaries to Knox Creek in Buchanan County</u>	State Water Control Board	H

For details please see:

<https://townhall.virginia.gov/L/meetings.cfm>

## MEMORANDUM

TO: Eastern Shore of Virginia Ground Water Committee



FROM: Elaine Meil  
Executive Director, A-NPDC

DATE: October 7, 2024

SUBJECT: Ground Water Plan Update

The Eastern Shore Ground Water Resource Protection and Preservation Plan needs to be updated. The plan was shared with the Committee in July. The plan's direct link is also below. Staff has begun a tentative prioritized Scope of Work for discussion purposes.

<https://www.esvaplan.org/wp-content/uploads/2024/05/ESVA-Groundwater-Resource-Protection-And-Preservation-Plan-2013-Full-Plan.pdf>

### **Guidance is requested.**

Staff has reviewed the plan and noted several items that need particular attention.

1. Create a short chapter that summarizes all existing recommendations in one table, update recommendations status. Include any new recommendations with a call out noting year of addition.

In the form of a memo update.

2. Update Research Needs
  - a. Update existing needs with research that has been completed.
    - i. Incorporate discussion of Saltwater Intrusion
    - ii. USGS-DEQ Groundwater Framework
    - iii. PFAS at Wallops Flight Facility
    - iv. USGS new groundwater model
    - v. Other?
3. Discussion with USGS on coordinating research priorities
4. Create narrative addition to a chapter that updates the plan to include the poultry house expansion.
  - a. Address the answer to why DEQ had to reduce Perdue's GW permit and define the flaw in the current system and determine potential options to fix that flaw.
5. Create narrative addition to a chapter that discusses climate impacts.
6. Update 5.4 Columbia Aquifer to include well testing results.
7. Develop new recommendations
  - a.
8. Other

### MEMORANDUM

TO: Eastern Shore of Virginia Ground Water Committee



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FROM: Britt McMillan  
Principal Hydrogeologist, Arcadis

DATE: October 15, 2024

SUBJECT: October 15, 2024 Ground Water Consultant Report

Please see the attached report.