



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

Minutes of the March 20, 2018 Meeting Eastern Shore of Virginia Ground Water Committee

The meeting of the Eastern Shore of Virginia Ground Water Committee was held at 10:00 AM on Tuesday, March 20, 2018 in the A-NPDC Conference Room of the Enterprise Building in Accomac, Virginia.

Members Present:

Charles Kolakowski
Daniel Hershey
Elaine Meil
Eugene R. Hampton
Grayson Chesser
Jim Belote
John Coker, Vice Chairman
Mike Mason
Paul Muhly, Chairman
Robert Meyers

Members Absent:

John Salm

Others Present:

Anne W. P. Batcheld, Accomack Citizen
Bob Toner, Northampton Citizen
Britt McMillan, ARCADIS
Cole Charnock, ESSWCD
Curt Smith, A-NPDC
Curtis Consolvo, GeoResources, Inc.
David Redinger, Tyson Foods
Dirk Lynch, MSA P.C.
Drew Hammond, VDEQ
Granville Hogg, Northampton Citizen
Helen Bongiovannie, Accomack Citizen
Janet Sturgis, Northampton Citizen
Joseph Betit, Accomack Citizen
Joseph Bongiovannie, Accomack Citizen
Ken Dufty, Eastern Shore COG
Rich Morrison, Accomack County
Roberta Kellam, Northampton Citizen
Sarah Harrison, Tyson Foods
Scott Kudlas, VDEQ
Shannon Alexander, A-NPDC
Sue Mastyl, CBES



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1. Call to Order

Chairman Muhly called the meeting to order at 10:05 AM. Chairman Muhly read the Committee Mandate.

2. Review of the February 20, 2018 Minutes

Committee Member Hampton moved to approve the Minutes of the February 20, 2018 meeting. The motion, seconded by Committee Member Hershey, carried unanimously.

3. 2018 Financial Status Report

The FY 2018 Financial Status Report was presented. Brief discussion ensued.

Committee Member Meyers moved to approve the FY2018 financial status report. The motion, seconded by Committee Member Hershey, carried unanimously.

4. Staff Update

In order to allow time for the consultant presentation, staff limited reporting. The following staff updates were presented:

Committee Attendance Record

The FY2018 Committee Attendance Record was presented.

Other Items

Chincoteague Wells, Groundwater Withdrawal Permit Compliance Initiative – Mr. Hammond of VDEQ presented that during November, December, and January sampling showed all but well #5 as nondetect for PFCs. VDEQ is to supply the NASA data to the consultant.

VDEQ Groundwater Withdrawal Compliance Initiative – Mr. Hammond of VDEQ provided an update. He presented that on February 22nd 50 compliance letters were sent to those from whom VDEQ did not receive an application during the voluntary compliance period that are believed to exceed monthly maximum withdrawals. The letter indicated that the recipient had 20 days in which to supply requested materials. Next steps include another round of letters, notice of violation, and/or notice of formal action, potentially including fines. It was pointed out that the withdrawal quantity of interest to VDEQ for the permitting process is for total use – sourced from either the Yorktown-Eastover or the Columbia.

Mr. Hammond answered additional questions from committee members concerning other withdrawals; state facilities/entities exceeding the monthly maximum withdrawals are required to go through the same permit application process; federal facilities/entities use sovereign immunity to avoid needing a permit, but NASA does voluntarily supply use data.

Based on discussions, VDEQ is to supply the consultant a link to download groundwater withdrawal applications, once they are deemed technically complete, and the consultant is to then share this data with A-NPDC staff.



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Discussion ensued concerning the mechanism by which VDH and drillers issue permits and drill wells. Mr. Hammond explained that VDEQ and VDH have worked together on language that will notify VDH well applicants that they may be required to obtain a VDEQ permit if the withdrawal exceeds monthly maximum withdrawals.

Upcoming Events

Staff presented that they presented to the Northampton County Board of Supervisors and the Master Gardeners last month and will have an educational booth at the Exmore Earth Day Festival.

Informational Items

Staff presented two local articles, one covering the presentation to the Northampton County Board of Supervisors and one covering the Tyson Foods announcement at the February 21 meeting of the Accomack County Board of Supervisor meeting, that they plan to source the Columbia for their poultry growing operations for the cooling processes.

Discussion then ensued about recognizing Tyson Foods for their efforts. It was pointed out that the Ground Water Committee has been encouraging use of the Columbia for decades and that the Ground Water Award has historically been granted to large users that source the Columbia for part or all of their withdrawal.

Committee Member Meyers made a motion to nominate Tyson Foods as a potential recipient of the 2018 Ground Water Award. Committee Member Chesser seconded the motion. Discussion ensued, initiated by Vice Chairman Coker, suggesting waiting to make sure that they follow through with their announced intention. The motion was amended to send a letter commending the announcement and intent of use of the Columbia for cooling purposes in their growing operations, suggest establishing a relationship in which Tyson can update the success of implementation of this program to the Committee, and include a nomination form. The motion, as amended, passed unanimously.

5. Consultant Report:

The Consultant gave the draft Columbia Aquifer Groundwater Resource Presentation, which focused on sustainable groundwater and the Columbia aquifer. The presentation introduced the Columbia aquifer in the context of the overall aquifer system, discussed how the Columbia aquifer is replenished and how the Columbia aquifer replenishes the underlying Yorktown-Eastover aquifer, reviewed use of the Columbia aquifer relative to other sources of water with regards to yield and quality, and identified benefits of water quality protection and promoting use of the Columbia aquifer. Some questions/suggestions from Committee Members and staff were made and follow: slide 5 add 'permitted'; slide 6 point out that the Columbia is impacted less during a drought than the Yorktown-Eastover; slide 8 point out that the tap source for water sample could be post-treatment (staff is to reach out to VT to discuss including a question about treatment system in the form for water clinic participants). There was also discussion about the GW-2 form. Mr.



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Scott Kudlas clarified that for any well drilled post-2015 in a groundwater management area, an identical GW-2 should be submitted (to both VDH and VDEQ).

The consultant provided information about legislation in the current General Assembly, including HB211, HB358, & SB520. HB885, 887, & 888 were also presented.

Committee Member Belote made a motion to send a letter to Governor Northam, and all relevant representatives and agency staff, expressing the Committee's opposition to HB885, 887, & 888. Committee Member Hampton seconded the motion. Discussion ensued. The motion was amended to include specific language in the letter that requests specific action to amend the legislation to exempt the Eastern Shore of Virginia from the privatization of services spelled out in the legislation and include the justification. The motion, as amended, passed unanimously.

6. Other Matters:

None.

7. Public Participation:

Mr. Granville Hogg referenced 3 issues:

1. Stormwater Management Ponds – lack of management of these ponds prevents their ability to recharge the aquifer system.
2. ES Rural Health – Opportunity for the Committee to inject their opinion that irrigation for lawns be from the Columbia. Suggests looking back at the letter and conversations had with ESRH last year.
3. Bayview Convenience Center – Leachate discharge to perennial creek leading to Kings Creek.

Mrs. Sue Mastyl expressed concerns about the Committee's lack of time for public participation. Options for extending the meeting duration, limiting time of each public comment, having members of the public with particular items of concern request having time on the agenda, etc. were discussed.

Mrs. Anne W. P. Batcheld suggested a public hearing for the pending VDEQ Groundwater Withdrawal Permits for CAFOs. Mr. Scott Kudlas of VDEQ indicated that following the public comment period the agency decides if a public hearing is appropriate and that at this time he predicts that there will be public hearing(s) held. Mrs. Batcheld also indicated that the water from the well for her home in Pungoteague due to salt content.



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8. Schedule Next Meeting & Adjournment

The next Committee meeting was scheduled for April 17th, 2018 at 10:00 AM in the A-NPDC Conference Room of the Enterprise Building in Accomac.

Chairman Muhly adjourned the meeting at 12:14 p.m.

Copy test:

Paul Muhly, Chairman

Elaine K. N. Meil, Secretary

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