



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 June 21st, 2022 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, June 21st, 2022 in the hybrid format – virtually on the Zoom Platform and in person – in the conference room of the Eastern Shore Chamber of Commerce in Melfa, VA.

<u>Members Present</u>	<u>Members Absent</u>	<u>Others Present</u>
Paul Muhly, Chairman	Mike Mason	Kellen Singleton, A-NPDC
Paul Grossman	Charles Kolakowski	Britt McMillan, ARCADIS*
Grayson Chesser	John Coker, Vice Chairman	Bill Savage, ESSWCD
Daniel Hershey	Roberta Kellam	Dixon Tucker, VDH
Sue Mastyl		Joseph Betit*
Elaine Meil, Secretary		Ben Young, USDA*
		Randolph McFarland, USGS*
		Scott Kudlas, DEQ*

**signifies Zoom participant*

1. Call to Order

Chairman Muhly called the meeting to order at 10:07 AM.

2. Public Participation

None.

3. Minutes of May 17th, 2022 Meeting

The draft minutes of the May 17th, 2022 Meeting were presented. It was noted to correct “Bill Meyers” to “Bob Meyers” in the minutes.

Mem. Paul Grossman moved to approve the minutes with corrections of the May 17, 2022 Meeting. Seconded by Mem. Daniel Hershey, the motion carried by unanimous vote.



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4. Financial Report

The FY 2022 Financial Status Report for May 2022 was presented.

Total Bills Payable equaled \$2,235.44; total revenues received equaled \$0.00.

Commission approval of the Bills Payable and current Financial Statement was requested.

Mem. Paul Grossman moved to approve the financial status report as presented. Seconded by Mem. Daniel Hershey, the motion carried by unanimous vote.

5. June 2022 Staff Report and June 21, 2022 Ground Water Consultant Report

Staff updated the Committee on new Environmental Reviews and Permits of the VA Pollutant Discharge Elimination System Program. It was noted that links to current VPDES General Permits and current VPDES Individual Permits are inactive and that staff can be contacted for permit information.

Staff informed the Committee on Consent Order, EAN TR21-1113 concerning the Town of Cape Charles Wastewater Treatment Plant.

Mem. Paul Grossman informed the Committee that an official response is to be submitted by October and that the municipal status was under consideration.

Staff continues to reach out to the residents of Captain's Cove to address concerns made during public comment at the March 15, 2022 ESVA Ground Water Committee meeting. 229 out of the 1,200 residents responded to the web survey. 93 residents responded to our door-to-door efforts. Half of the listed residences (600) are full time according to Captain's Cove management. Preliminary mapping and assessment of the survey data and waterworks system continues. Chmn. Muhly expounded on the survey response rate.

Dixon Tucker of the Virginia Dept. of Health / Office of Drinking Water presented a history of the Captain's Cove waterworks system, from the VDH, drinking water perspective beginning with the initial 1971 development plan to today. Mr. Tucker noted:

On 5/16/71, VDH sent a comment letter on Sections 1, 2, 3, 4 and 5 (of 18 sections). The maps / plats of the development show approximately 4,800 lots to owner First Charter Land Corporation.

First Waterworks Operation Permit issued 3/18/75, Number O-141 for 25 connections. The permit was amended several months later (Number O-141A) for 33 connections.



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On 8/30/77 VDH receives a letter indicating that it is felt that the development should be grandfathered under the old (1974 i.e. pre '77) regulations.

In 1993 SCC authorized \$7 monthly fee for water service, a \$7 monthly fee for sewer service and a \$3.45 availability fee. Not all lots are serviced with sewer (some on septic/drain fields).

Currently (1995 – 2011) there are 3 active well lots (1, 2, and 3) with one active well each. There are 20 Lots identified as well lots on the subdivision plan. These 20 lots are scattered throughout the subdivision.

In 2005 Proposed new well (Well 4) development samples high in Color and TDH. WM 886 dated 7/8/2005 called for community waterworks with new sources to comply with these standards (Policy A3).

In 2006, elevated tank installed in 2009 raising capacity to 227,380 gpd. Three more wells are proposed (Wells 1U, 3U and 4U). Well 1U development samples were such that it was not considered further. Well 4U also had high Color (negating the feasibility of blending with Well 4). In 2007, plans were submitted for Wells 4, 3U and 4U.

The Consent order was signed in June 2006, covering the TTHM MCL (4/1/04 – 3/31/06). That process is stuck at D.1.D. The PER did not have data to identify a treatment option to propose for construction. Since that time the system has come into compliance with the Stage 1 TTHM standard.

ODW has received many complaints concerning taste, odor and Color. This should be sufficient to invoke WM 886 Policy A2

Though they are meeting the Stage 1 DBP criteria, but even with the existing sampling sites, they are not meeting the Stage 2 DBP criteria, so the IDSE sites should be even higher. The IDSE report will need to address the locational running annual average.

In February of 2004 the development was sold to Captains Cove Group LLC (sometimes referred to Warfield, Glick and Young). The new owners increased the promotion of the development. By 2005 Ryan Homes had purchased about 600 lots for home construction.

February 18, 2009 Construction Permit 300509 issued to Captain's Cove Utility Company for the addition of Wells 3U, 4 and 4U. Wells were drilled and tested, but were not brought on line prior to the permit expiring on February 18, 2014. As of January 8, 2016, the wells do not have production pumps or well houses.



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On, 5/1/09 the variance issued for 18 months covering TDS, Chlorides, Color was terminated on 3/9/10 for failure to comply with the conditions. This was not included in the 5/14/10 Operation Permit.

On 3/7/78 operation permit 3001100 issued for 240 ERC. According to inspection reports, from 1980-2007, 605 additional connections have been made from the initial 30. According to operational reports from 1987-2008, 594 additional connections have been made to the original 158.

The pipe diameters and lengths are as follows:

Pipe Diameter (in.)	Length (ft.)
2.5	24,700
4	20,700
6	41,600
8	11,300
10	4,750

Mr. Tucker reasoned that in the Section 3 ground storage tank there are no booster pumps to repressure the stored water. The system would require 15 gal/min to reach scouring velocity. Due to the length and diameter of the system, the accumulation of biofilm and total dissolved organics is likely and a suboptimal scouring velocity of the system may be the origin of resident's complaints.

Staff brought to the attention of the committee the proposed Knox Landing Road Hatchery--there are plans to construct a chicken hatchery on Knox Landing Road, across from ISH Farm LLC. GWC consult. Britt McMillan updated the committee on hatchery plans determining:

Current GWC efforts do not appear to be effective in encouraging surficial aquifer use.

Somerset Wells is lined up to drill the wells, sourcing from the Yorktown-Eastover. They have met with DEQ through a pre-application meeting. The discussion included "preference for surficial aquifer use vs. the Yorktown-Eastover aquifer use in a pre-application meeting for non-public water supplies where the water quality and volume may be available". As we've heard in the past from drillers, their position is already that the surficial "water quality" is not adequate for even non-public water supplies. We know there are plans to drill wells in the near future. It is probable that a hatchery will require a groundwater withdrawal permit.

Mem. Mastyl noted that Tyson made a public statement to use the surficial aquifer when feasible. Mem. Hershey noted that ISH Farms is probably independent and described the hatchery process. It was noted that a formal application was needed for actionable information. Chmn. Muhly noted the disconnect in communication. Mem. Mastyl



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suggested improved communication with drillers.

Mr. McMillan inquired as to whether the GWC Preferential Use of the Superficial Aquifer Statement of Principle (August 2021) were ever adopted. Staff will check minutes to verify previous adoption. Scott Kudlas advised committee to add superficial water use fact sheets to Statement of Principles

Staff informed the Committee on of the yet to be approved \$20,000 increase in the proposed Northampton County budget. Mem. Grossman updated the committee on the status of the funding noting that the Northampton Board of Supervisors had approved the funding increase.

Staff requested that Northampton nominate or assign a member to fill the empty Northampton Committee Member vacancy. The search continues to fill this vacancy.

The committee was updated on the well water testing program in cooperation with Donna Smith at the Eastern Shore Area Agency on Aging and SERCAP, Inc. They will be visiting the Eastern Shore June 26th and 27th.

Jason Pope updated the committee on study and evaluation of ESVA in conjunction with the Dept. of Environmental Quality. Model will be available in 2026.

Mem. Mastyl requested that the Chesapeake Bay Landscape Professional certification program be included in the GWC August agenda.

It was reiterated by Mem. Chesser and Sec Meil to reach out to drillers when general permits come out for the proposed Knox Landing Road Hatchery.

Schedule Next Meeting & Adjournment

The next Committee meeting was scheduled for August 16, 2022 from 10AM-12PM at the ESVA Chamber of Commerce, Melfa, VA.

Mem. Grossman made a motion to adjourn at 12:07 AM. The motion, seconded Mem. Hershey, carried unanimously.

Chairman Muhly adjourned the meeting at 12:10 PM.

Copy test:

John Coker, Vice Chairman

Elaine K. N. Meil, Secretary